

*Maria Reg. Scot.*

82 1792

# CONCISE STATE

OF THE

*Controversy respecting* QUEEN MARY.

Few subjects of political controversy have more engaged the attention of this nation, or been attended with more formidable and more fatal effects of party-rage, than the present question.—The barbarity, the bigotry, and enthusiasm of the times, in which she lived, all conspired to harden the hearts of her cotemporaries against this unhappy princess, and to cause them shut their eyes against the clearest evidence in her favour; while the ambition of those who usurped, or wished to usurp, her authority, prompted them to invent numberless falsehoods to her prejudice, which were greedily swallowed as undeniable truths by the unthinking multitude; and as such have been transmitted to latter times. On the other hand, the general spirit of inquiry, and liberality of sentiment, which so greatly distinguish the present age, have influenced many learned men to undertake the defence of this illustrious princess, whose misfortunes cannot but inspire every one with compassion, and make even her enemies sincerely lament her fate.

In stating the evidence on both sides, however, it must be remembered, that, in all controversies whatever, some allowance must be made for the *prejudices* of the authors who write upon the subject. It is undeniable, that the motives already mentioned must have operated very powerfully on the minds of those who accused her originally; while many authors of later date, bred up in the belief of those calumnies, have been unwilling to allow themselves to think candidly on the subject. But it is equally undeniable that a consideration of the beauty, the sufferings, and magnanimity of Mary in her adversity, are apt to create an opposite prejudice in the minds of her advocates; and to lead them inadvertently into an unwillingness to admit those faults which justice must certainly ascribe to her. Thus it becomes difficult, after all that has been written upon the subject, to know which of the two parties to believe; nor does it appear to us possible to attain to a knowledge of the truth, without a very rigid investi-

gation of the writings, as well as a consideration of the particular situations of those who have hitherto engaged in the controversy.

The dispute originated with the celebrated historian Buchanan. His great literary talents, and some appearance of sanctity derived from his translating the Psalms into Latin, gave a prejudice in favour of what he advances. It is difficult to suppose that a man who must have been at much pains in searching for truth, as his history shews him to have been, would wilfully have stuffed his writings with malicious falsehoods; and it is unnatural to imagine that one, who had spent so much time in perusing the Scriptures, would, without a very just ground have set himself to ruin his sovereign. To this prejudice in favour of his literary talents and uprightness, we must ascribe the partiality shewn to his assertions by the celebrated French writers De Thou, Bayle, and Voltaire. Mary appeared once in much splendor as queen of France; so that it was otherwise natural for the French, who have been remarkable for extolling the great qualities of their sovereigns, to be lavish of their praises towards such an amiable and accomplished princess. To the assertions of Buchanan therefore, an eminent writer in this controversy\* ascribes the unfavourable accounts of Queen Mary, given by these authors, which have lately been refuted with success by Mademoiselle de Keralio.

To remove this prejudice in favour of our eminent historian, we have only to consider his situation at that time. He was preceptor to the Prince, Mary's son, who was not under her tuition. Of consequence he was independent of the Queen with respect to his personal interest, nay it would have been much against his interest at that time, to have appeared her advocate. We cannot suppose him to have been a great favourite with the Queen, after she perceived his ingratitude towards her, and, we may not unreasonably suppose, that some share of personal *ill will* or *resentment* lurked in his breast; so that, considering all these circum-

\* "Mr. De Thou, Bayle, Voltaire, and other French writers, says he, seduced by Buchanan, had adopted his falsehoods. To remove what they had inculcated, was reserved for Mademoiselle de Keralio; for the pen of a French lady, to restore the character of a Queen of France, who was once in high esteem there, and who once shone among the most illustrious characters in that kingdom.

"This, Mademoiselle de Keralio has effectually done. She has completed the triumph of Queen Mary, by a work which does honour to her sex, and to her country." *Tytler's Enquiry*, Vol. I. p. 31. *et seq.* edit. 1790.



stances, we can hardly suppose that any person in a similar situation would now-a-days be sustained as a legal witness in any Court. In this *a priori* way of arguing therefore, we have in Buchanan's favour, his learning, assiduity in collecting truths, his fidelity as an historian; and his humanity, and duty as a Christian. On the other hand, we have interest, party-zeal, and resentment against the person concerning whom he writes; and which of these two sets of motives are most likely to prevail, when placed in competition in the human breast, we must leave to the judgment of the reader.

The antagonist of Buchanan, even in his own age, was Lesly bishop of Ross. Being the Queen's ambassador at the Court of England, there is the highest reason to believe that he was possessed of every evidence and authentic document that could be procured either for or against the unfortunate princess, who was the subject of dispute. No doubt his interest was in some degree connected with the honour and reputation of his mistress; but, had he abandoned her, it can scarce be supposed that he would have been a loser. We must consider that Mary was the suffering party. Her antagonist Elizabeth hated her as a pretender to her Crown. She dreaded her as one capable of influencing the Catholic Powers to make a dangerous invasion of her kingdom; while she viewed her with all that envy and jealousy which fills the mind of a woman that cannot bear an *equal*, when she beholds herself outshined in beauty and personal accomplishments. Add to all this the party-rage, on account of religion falsely so called, which we see, even in our own times, can scarcely be kept within bounds; and which in those days, comparatively barbarous with respect to ours, we are sure must have been much worse. Considering, therefore, Elizabeth as a powerful princess, and capable of liberally rewarding those who favoured her cause, while the partisans of Mary suffered contempt, oppression, and indignity, we must as naturally be inclined to give our assent to the evidence in favour of the latter, as to doubt of that which is against her. Should the evidence produced by Lesly, therefore, be found void of truth, we must still account him an *honest* man though mistaken; but the name can by no means be applied to Buchanan if his assertions shall be found ill-grounded.

Thus far we naturally find a *prejudice* in favour of Mary, arising, if we may be allowed the expression, from *impartiality* itself, or the mere consideration of those circumstances in which the parties stood in her time; and how the motives which operated

upon them may be supposed to have had an influence on their conduct. But when we consider the evidence itself, we must certainly be disposed to reject it entirely, if it does not contain the most full and direct proof of her guilt. When a person is in the hands of those who are his enemies as well as judges, and who have unlimited power to produce every evidence that can be produced, the want of a single article must be in a manner decisive against them; and even should their evidence be the most explicit that can be required, we could not be altogether void of suspicion. On the other hand, whatever is urged in favour of the supposed culprit must appear with aggravated force; for this plain reason, that we know it is natural for such judges to suppress true, and to coin false evidence.

With respect to the modern authors who have written upon this subject, we can by no means attribute to them any of the motives which must evidently have influenced those who were immediate actors in the scenes under consideration. A desire of literary fame might make some contradict, and others agree with a celebrated author, such as Buchanan; while some no doubt were mostly influenced by a desire of investigating the truth, and either vindicating the memory of an illustrious princess from the aspersions thrown upon her in her lifetime, or fixing them for ever as indubitable facts. At any rate, their rivalry has undoubtedly served to bring to light, and elucidate facts which would otherwise have remained involved in obscurity, if not buried entirely in oblivion.

The whole of this controversy, important as it has been, hinges on a single question, viz. Whether are certain letters and love sonnets addressed to the Earl Bothwell, and said to be found among his papers after his flight, to be looked upon as genuine or not? If they are genuine, Mary's moral conduct cannot be vindicated; but it is impossible to justify that of her adversaries whether they are or not; for it never was pretended that there was any legal proof of these letters before she was taken prisoner, and forced to resign her kingdom.

It has already been remarked, that even in the time of Queen Mary herself, this unfortunate princess was not without an able defender in Lesly bishop of Ross. He published a *Defence of Mary's Honour*, in which the authenticity of the papers in question was very ably contested; but this was suppressed by Queen Elizabeth. Many others appeared on the continent, but none were suffered to come into England; and, even in France, when



we consider the little inclination shewn by that power to save the life of Mary, we cannot wonder that any vindication of her *same* should be neglected; and hence every thing published in that way was soon allowed to fall into contempt and oblivion. In the mean time, Buchanan's performance intitled *A Detection of the Actions of Mary, &c.* was patronized by Elizabeth in the highest degree; receiving every recommendation which authority and influence would give; being formally presented to the Queen of England herself, and circulated through the kingdom by her ministers. In Scotland it was received with the utmost avidity; as well through respect to the abilities of Buchanan, as the aversion entertained against the unhappy princess herself on account of religious matters. Thus the generality of people in this country were brought up in the belief of Mary's guilt, and every attempt to justify, or even to clear up the dispute concerning her, was soon overwhelmed and lost. Many of these, however, had undoubtedly made their appearance; for Anderson, in his preface to his Collection of Papers upon this controversy, informs us, that he had seen more than forty books written expressly on the subject, and sixty in which it was treated of in a slighter manner.

In such a multitude of writings it is no wonder that it should be difficult to come at the truth; and Mr. Anderson's work in four volumes quarto, seems to have been the first step towards an elucidation of these obscure points. But it was not till the year 1754, that any professed advocate of note appeared in defence of Mary. The first was Mr. Goodall, keeper of the Advocates' library in Edinburgh, a gentleman very much acquainted with records, and endowed with a patience, to search into these unenterprising repositories, not often to be met with. He traced the letters in question from their very first appearance in the hands of the Earl of Morton, and remarked every thing that passed concerning them before Queen Elizabeth, her Council, and the Commissioners. In his Collection many papers in favour of Mary are to be met with, which Anderson had omitted.

The merit of Mr. Goodall's performance was for some time lost in the obstinacy of prejudice, or the ignorance of inattention. Even the celebrated historians Hume and Robertson took the opposite side, and, by the respect deservedly paid to their abilities, seemed, for some time, entirely to counteract the little influence which the writings of Mr. Goodall had with the public. They were successfully opposed by Mr. Tytler, who improved the arguments of Mr. Goodall, furnished new ones of his own,

and by writing in a more lively and perspicuous manner, roused the public attention very remarkably. Dr. Robertson seemed to confess a defeat, by making no reply; and Hume did the same, by replying to Mr. Tytler's performance; though he had laid it down on all other occasions, as an invariable rule, never to answer an adversary. His reply, however, did not appear till a long time after the publication of Mr. Tytler's book; and then consisted of a single ill-natured note, in which the cause of Mary was touched only in one single point. Mr. Tytler defended himself in a Postscript to a new edition of his work, which has never been answered by any body. He was followed by Dr. Gilbert Stuart, whose elegant and sprightly manner has been much admired; and Mr. Whitaker confesses, that it was the second edition of this work which put him upon studying the subject with such attention as to be enabled to write a professed Vindication of Mary. In this he thinks he has elucidated some things concerning the letters more fully than had been done by any of her advocates. Thus it appears that the evidence one way or other must be complete, and a fair state of what has been already laid before the public by different hands, must contain all that can be said upon the subject.

The Accusations against Mary first appeared in the form of a treatise by Buchanan, under the title of a "A Detection of the Actions of Mary Queen of Scots, concerning the Murder of her Husband, and her Conspiracy, Adultery, and pretended Marriage with Earl Bothwell, &c." The time when it was written is somewhat uncertain; nor is it well known whether it was originally written in Scots, and translated into Latin by the author, or first written in Latin and then translated into Scots. Certain it is, however, that it appeared in Scots, English, Latin, and French. The argument it contains may be reduced to the following heads.

1. Queen Mary having, without due consideration, married Lord Darnly, soon began to shew marks of disregard for him, without any apparent cause. An instance of this is given of his being denied a share in the administration of public affairs, and going one winter to Peebles with such a slender retinue as was below the dignity even of a private nobleman. Instances of this want of affection, he says, were notoriously known.

2. After the Queen's delivery in 1566, she began to put in execution those plots which had been before concerted to get rid of her husband, and to marry Bothwell. Her first step was to sow



diffention betwixt Darnly and the nobility; taking care on every occasion to feed the flame of discord when she perceived it beginning to languish; and accounting it her advantage that they should come to blows, whichever party got the better. An instance is given of her having a conversation with her husband till late at night, during which she persuaded him that there was a general conspiracy of the nobility against his life. Immediately after the King left her, the Queen sent for the Earl of Murray, and told him that the King was so highly displeased on account of the Earl being in great favour with her, that his life was in danger.

3. The next article is of such a nature, that we choose to give it in the words of Buchanan himself.—“When this attempt failed her, she assailed the young and unexperienced gentleman (her husband) with a new and subtle practice. She earnestly *laboured* him, that, while she was great with child, he should chuse some young gentlewoman, whereof there was great store, whose company he might use in the mean time. She promised him assent and furtherance, with pardon and leave to commit the offence. She named to him the Earl of Murray’s wife; not for that she esteemed that most noble lady most apt for such a villany, but because she thought by that way to be revenged of three enemies at once, the King, the Earl, and his wife; and therewithal to win a colour and cause of divorce, to make empty bed-room for Bothwell\*.”

4. When the King paid her a visit after delivery, the Queen and her attendants manifested their hatred to him by every possible method; while Bothwell was caressed, and the only way to preferment was by his means. This is followed by several others relative to the Queen’s immodest behaviour, which we omit, as being incapable of proof.

5. The King having gone from place to place, disconsolate on account of his wife’s unkindness, at last, hearing of her sickness at Jedburgh, paid her a visit there, but met with the same indifferent reception, while the Queen, after her recovery, lived in such an open manner with Bothwell, “as they seemed, says Buchanan, to fear nothing more, than lest their unkindness should

\* It is obvious to remark, that this abominable accusation contradicts the assertion made in the former, *viz.* that Mary began to sow diffention between the King and nobles, only *after* her delivery; for this was plainly *before* it.

be unknown." Yet, a little after, he tells that the people's *suspicion* of Mary's unchastity with Bothwell was exceedingly *increased* by the King's residence at Stirling. Had her conduct been so flagrant as he alleges, *suspicion* could not have had a place.

6. The Queen after her recovery received some letters from her husband, which affected her so much, that she instantly declared, if she could not by some method be rid of him, she would never have a moment's ease; and rather than live in continual sorrow, she would put an end to her life. Afterwards she proposed a divorce; but laid aside all thoughts of it on being put in mind that such a step would affect the legitimacy of her son; though in the next sentence our author insinuates that she had a mind to take away the life of that very child whose illegitimacy was such an object of dread\*.

7. At the baptism of the young prince, the King was not allowed to enter the presence of the ambassadors; the nobility were commanded not to attend him, nor were the foreign ambassadors allowed to hold any communication with him. In consequence of this unkind usage, he left Stirling castle, and went to Glasgow to his father; but "the Queen still pursued him with her wonted hatred;" as an instance of which, she took away all his silver plate, and gave him pewter in the place of it. He had not gone a mile from Stirling, before he felt an itching in all parts of his body, an evident effect of poison, according to our author. On his arrival at Glasgow, certain black pimples broke out with such itching and pains through his limbs that his life was despaired of; and during all this time the Queen would not allow any physician to attend him.

8. Mary finding at last that her husband was not likely to die of the disease, paid him a visit, not with a friendly intent, but on purpose to murder him. Bothwell, according to agreement, provided an house for the king in the neighbourhood of Edinburgh, in a desolate place; an excuse for which was, that the air was more wholesome than in the palace at Holyroodhouse; though our author denies any superiority in this respect. In a short time the death of the King happened by gunpowder, as is generally supposed, the house being blown up, as is related in the histories of Scotland.

\* "This answer, when she had a while tossed in her mind, and knew that he said truth, and that she durst not as yet disclose her purpose to *make away* her son, she gave over the device of divorce, &c." *Buchanan's Detection*, p. 14.



9. After the cruel act was perpetrated, the Queen, instead of giving herself up to lamentations, seemed to vie with the greatest heroines of antiquity; sending out most of her attendants to inquire into the matter, and not only composed herself to rest, but slept till next day at noon. Not satisfied with this unnatural behaviour, she feasted her eyes for a long time with the sight of her husband's body, and at last caused him to be buried privately, and in a very mean manner, hard by David Rizzio. In twelve days she left Edinburgh, and went to Lord Seton's house, where Bothwell lodged at the time; and though persuaded by M. le Croc, the French ambassador, to return to the capital, she very soon left it again to return to the same place, where council was held how to get Bothwell acquitted of the charge of murdering the King. The scandalous manner in which the trial was conducted, is likewise set forth in strong terms. Mary's being carried off by Bothwell, her subsequent marriage and misfortunes, are all established historical facts, which need no confirmation, and therefore we shall not trouble the reader with what Buchanan has said upon them. It is obvious to remark, that all the articles above mentioned, contained only *assertions* unsupported by the smallest shadow of proof; and, in some places, inconsistent with themselves. An ORATION is added, containing fifty-five pages in quarto, in which the learned author tells us it is "by necessary arguments plainly proved, that she (Queen Mary) was guilty and privy to the said murder." Of this Oration we shall only say, that it is far beyond our powers of abridgement; for which reason we shall only present our readers with *one* of the *necessary arguments*, in the words of the author himself. The point to be proved is, that Mary administered poison to her husband.

"When he was preparing to depart from *Glasgow*\*, she caused poison to be given him. You will ask by whom? In what manner? What kind of poison? Where had she it? Ask you these questions? As though wicked princes ever wanted ministers of their wicked treacheries. But still you press me, perhaps, and still you ask me, Who are their ministers? First, that he was poisoned, it was certainly known: for, though the shamelessness of men would not stick to deny a thing so manifest, yet the kind of disease, strange, unknown to the people, unacquainted to the physicians, especially such as had not been in *Italy and Spain*; *black pimples breaking out* over all his body; grievous itch

\* From *Stirling* it ought to have been, to make the Oration consistent with the Narrative.

in all his limbs, and intolerable stench, disclosed it. If this cause were to be pleaded before grave Cato the Censor, as this were easy to prove before him that is persuaded that there is no *adulteris*, (adulterers, we suppose) but the same is also a poisoner. Need we seek for a more substantial witness than Cato, every one of whose sentences antiquity esteemed as so many oracles? Shall we not in one manifest thing believe *him*, whose credit has, in things doubtful, so often prevailed? Lo, here a man of singular uprightness, and of most notable faithfulness and credit, bears witness against a woman burning in hatred of her husband, and in love of an adulterer; and in both their diseases of corrupt affections unbridled, *untemperably* by her estate, raging by her power, and indulgently following the wantonness of her wealth. But let us omit old and disused things, and let us sever the credit of the inconstant multitude from the case of princes. Let us in so great a matter admit no witness in whom either his estate may be suspected, or his manners may be blamed. What witnesses then shall we use? For, by this condition, we may bring forth none under the royal degree of a king or a queen. But such vile acts are not wont to be committed by noble and good men, but by lewd and wicked ministers. Howbeit, that herein also the most precise may be satisfied, go to; let us bring forth a royal witness. Read her own letter; her letter, I say, written with her own hand. What mean these words? *He is not much deformed, and yet he has received much.* Whereof hath he received much? The thing itself, the disease, the pimples, the favour, do tell you. Even that he received, that brought deformity; forsooth very poison. This is sufficient for me that is there said; that, though he received much, he is not much deformed; or that though he be not much deformed, yet he received much. What means this word *yet*? What else but this, that whatever it was that he received, the same was the cause of his deformity; which, though it were much, yet it was not *much* enough to work such deformity as was desired. But, be it were not poison. What then was it else? &c."

On this piece of reasoning we need make very little comment; as we believe every man of common sense will acknowledge that, had the author taken pains to burlesque his own cause, and make the enemies of Mary appear ridiculous, he could not have done it more effectually than by such a rhapsody as we have transcribed. On this occasion he appeals to the letters written by the Queen herself; which appeal, in the most explicit manner, shows, that,



had not these letters existed, there could have been no proof at all. On the authenticity of these letters therefore, as we have said, the whole controversy turns. If therefore the most full and undoubted proof be not produced, the controversy must be at once decided in favour of Mary; *probability* declaring originally on the side of her innocence for the reasons given in the beginning of this Treatise. The following is Buchanan's account, and indeed the only one we have of them.

"That in the Castle of Edinburgh there was left by the Earl Bothwell before his flying away, and was sent for by one George Dalglish his servant, who was taken by the Earl of Morton, a small gilt coffer, not fully a foot long, being garnished in sundry places with the Roman letter F, under a king's crown; wherein were certain letters and writings well known, and by oaths to be affirmed to have been written with the Queen of Scots own hand, to the Earl Bothwell. Besides these writings there was also extant a writing written in the Roman hand in French, to be avowed to be written by the Queen of Scots herself; being a promise of marriage to the said Bothwell; which writing being without a date, and though some words therein seem to be contrary, yet it is upon credible grounds supposed to have been made and written by her before the death of her husband. The tenor whereof thus begins:

"*Nous Marie par la grace de Dieu, &c.*

"*We Mary by the grace of God, &c.*"

There is also another writing in Scots, avowed to be wholly written by the Earl of Huntly, dated the 5th of April, 1567, containing a form of contract for marriage betwixt the said Queen and the Earl Bothwell, subscribed *Mary*, which is avowed to be the proper hand of the said Queen; and underneath it *James Earl Bothwell*, which also is to be avowed to be the proper hand of the said Earl Bothwell; at which time he was commonly defamed of the King's slaughter, and not cleansed or acquitted thereof before the 12th of April following. It appears also from the words of the said contract, that it was made before sentence of divorce betwixt Bothwell and his former wife; and also, in very truth, before any suit of divorce begun between him and his former wife, though some words in the contract seem to say otherwise."

In the same casket were found "certain French sonnets written by the Queen of Scots to Bothwell before her marriage with him; and, as it is said, while her husband lived; but certainly before the divorce from his wife, as the words themselves shew;

before whom she prefers herself in deserving to be beloved of Bothwell \*."

Having thus given a brief account of what the first, and whom we might readily suppose to be the most formidable, adversary of Mary had to say against her, we must next take some notice of *Lelly's Vindication*, of which Anderson has preserved a copy written in the year 1570, said to be done by *Morgan Philips*, Bachelor of Divinity, and printed at Liege by *Walter Morbers*, in 1571.

This gentleman does not write a formal answer to Buchanan; the *Detection* not having been printed till the year 1572; nevertheless it probably contains as full an answer as could have been given by any studied refutation. He reduces the whole of the charges against the Queen to three points. 1. That her mind was alienated from her husband. 2. The letters already mentioned. 3. Her pretended marriage. Having thus stated the accusations, he next complains, that her accusers had produced nothing by any lawful means; and declares, that, had this been the case, neither he nor any who interested themselves in her be-

\* As some of our readers may perhaps have a curiosity to know how such an accomplished princess expressed her love, we shall present them with the following specimen, translated by the celebrated Buchanan.

" O Gods have of me compassion !  
 " And show what certain proof  
 " I may give, which shall not seem to him vain,  
 " Of my love and fervent affection.  
 " Alas ! is he not already in possession  
 " Of my body, of heart that refuses no pain  
 " Nor dishonour in the life uncertain  
 " Offence of friends, nor worse affliction.  
 " For him I esteem all my friends less than nothing,  
 " And I will have good hope of my enemies.  
 " I have put in hazard for him both fame and conscience,  
 " I will for his sake renounce the world,  
 " I will die to set him forward.  
 " What remains to give proof of my constancy?"

The following lines, in which the author of this poem speaks of Lady Bothwell, are very unlike a *Queen*.

" She for her honour owes you obedience;  
 " I in obeying you may receive dishonour,  
 " Not being (to my displeasure) your wife as she;  
 " And yet in this point she shall have no pre-heminence,  
 " She uses constancy for her own profit,  
 " For it is no little honour to be mistress of your goods!" &c.



half would have done so, but would "have yielded and given place to an open known truth." He complains likewise that her adversaries went upon presumptions, not of the surest or most probable sort. In criminal cases also he puts the reader in mind, that it is better to be "prone to favour than to hatred; to be readier to absolve and release, than to detain and condemn; and that it is far better, and a more sure, and more indifferent and upright way, to save the guilty, than to condemn and cast away the innocent. I trust, adds he, and am in an assured hope, that all the indifferent readers hereof will, without all partiality, weigh and consider the allegations of the one and the other side, and judge of the matter as it falleth out accordingly. Which is the very thing we most desire."

The bishop next sets forth the improbability that there was of Mary's guilt, and the probability of the opposite. The stronger presumptions, he says, ought to destroy the weaker. The fair sex abhor cruelty and bloodshed; and Queen Mary was a very accomplished princess, who, till she came to Scotland, was highly esteemed for her many excellent qualities. Again, it is not to be supposed, that any man or woman should fall into such extremities of vice at once. The human race attain to vice, as well as virtue, by degrees; and he challenges them, in all the former part of her life, to bring a single instance whereon to ground their presumptions. He upbraids them with the treasons her subjects had committed, and which she had so often pardoned. Was it likely, then, that she would entertain a thought of committing a crime of such a black dye as the murder of her husband. But, adds our author, though "he was her head in wedlock, yet was he otherwise but a member of her commonwealth, subject to her as to his supreme governors, and to the laws, by the due and ordinary process whereof he might have been convicted and executed, as well for the murder of David her secretary, in whose body his dagger was found stabbed, as for the imprisoning of the Queen, and for attempting to remove her from the civil government, to intrude himself into it. Who can now reasonably think, that, where she, by law and justice, might have fully satisfied her alleged desire, omitted every lawful opportunity, in order to accomplish his destruction in an unlawful one. This vehement presumption of her innocence is much holpen for that she would not consent to a divorce between her and the Lord Darnly, though she were moved thereto by a great number of her nobility."

The bishop next urges it as a great presumption of Mary's innocence, that she voluntarily came into England, where she knew both the father and mother of Lord Darnly were. Neither could the death of her husband be of any service to her, especially by such means; as it must tend greatly to embarrass the affairs of her government. Leaving, however, these presumptive proofs of the Queen's innocence, our author now enters on a consideration of the charges brought directly against her.

1. It is said that her affection was alienated from her husband. This is not denied; but if a husband gives his wife such provocation as must necessarily alienate her affection, he cannot reasonably complain; neither can they who are the fomenters of discord betwixt husband and wife reasonably blame either party, or any body but themselves for the consequences. In the present case it is to be doubted whether greater provocations could be given by a man to a woman than were given by Lord Darnly to Queen Mary. Every one, in the least acquainted with the sex, must know that the following are the four greatest provocations that can possibly be offered to a woman. 1. To abandon her for the sake of others. 2. To charge her openly with infidelity to her husband. 3. To threaten to leave her; and, 4. To thwart and contradict her in those things which she has a right to manage. There are but few husbands that unite all those provocations in their own persons; but it is impossible to deny that Darnly was guilty of every one of them; and that in a degree which no private person can be guilty of. With regard to the first, John Knox himself bears witness, though in *Darnly* he does not speak of the crime with such abhorrence as on other occasions. He only tells us that he was expert in the "games of Venus." With regard to the second, she was charged, in a most infamous manner with carrying on a criminal intercourse with her secretary David Rizzio. The third was no less notorious, insomuch, that even the Parliament interfered to prevent him from leaving the kingdom; and as to the fourth, we may say that she was thwarted in the management of almost every thing she had a right to from the moment she came into the kingdom. It must be remembered that *Mary*, and not her husband, ought to have had the administration of public affairs; yet this was what he perpetually attempted to deprive her of. In the most cruel and detestable manner he, with other barbarians, murdered David Rizzio in her presence, and afterwards imprisoned herself. This action was attended with such circumstances of cruelty as are scarce to be pa-



salleled. The Queen was at that time with child, when women naturally expect more tenderness and compassion than at others; yet was this unhappy princess used in such a barbarous manner as one should think might have excused the most violent resentment on her part. But the fact was, that Mary never had the authority of a sovereign. The savage nobility usurped her power, and in order to attain it, or to support themselves in it, shewed themselves absolutely indifferent as to every enormity. When Mary found her husband taking part with these nobles therefore, we cannot wonder that this, joined to other offences, should alienate her affection. Well might Bishop Lesly exclaim, "Fie, and double Fie upon the impudence of those mischievous traitors, now to lay to the Queen's charge, and reproachfully to object to her the changing of her mind towards her husband, which rose and began upon causes for the which they had long before been trussed up, if they had not fortun'd upon and met with so gracious a Mistress, as I know, and they, though undeserving it, do well feel, that the world hath very few her like."

On this subject the bishop farther observes, that, before his death, the King and Queen were thoroughly reconciled, as appeared by her visiting him at Glasgow, and the tenderness with which she behaved towards him at Edinburgh. Notwithstanding the many and grievous provocations therefore which she had received, it appears that her affection for her husband was not eradicated, but capable of being awakened again, and actually was so; so that the first part of the charge of necessity falls to the ground.

2. With regard to the letters to Bothwell, and the murder of the King. The enemies of Mary, who could not deny that an *apparent* reconciliation had taken place, next pretend that it was only signed upon her part, and that it appears by her own letters, that she had no other intention than that of enticing him to Edinburgh for his own destruction. On this the bishop justly observes, that it was altogether impossible to reason with such people; for, being themselves grieved that a reconciliation should have taken place at any rate, their next resource was to say that it was feigned on the part of the Queen. With regard to the letters themselves, he says, that the very time at which they were taken betrays the falsehood of the whole. Dalgliesh is said to have received them from Sir James Balfour to convey them to his master, the Earl of Bothwell. But Sir James himself was Bothwell's enemy, and had formerly driven him out of Edinburgh

castle; so that it is incredible either that Sir James would be any confidant of Bothwell's, or that he would shew him the least mark of attention.

"Nevertheless, says the bishop, when you have taken your best advantage you can of these letters, they contain no express commandment of any unlawful act or deed to be committed and perpetrated; not ratifying, or specifying the accomplishment of any such fact already past, but by unsure and uncertain guesses, aims, and conjectural supposings, are not able in any wise to make a lawful presumption, much less any good and substantial proof."

On the subject of the letters our author further presses his adversaries in the following manner. In all criminal accusations, it is absolutely necessary that the matter in question should be fairly proved by good and lawful witnesses, or by some other evident proofs or presumptions. The letters in question are neither subscribed by the writer, nor directed to any person; neither have they a date of day or month; nor is any bearer mentioned by whom they were sent. The person who was said to carry them, and who was executed for being concerned in the murder, protested before God, that he never carried any such letters, and that the Queen knew nothing of the matter. Again, were these letters ever compared with the Queen's hand writing? This would have been done even in a money matter. Perhaps it may be said that a proper comparison was made; but, by whom was it done? by those very persons who were the Queen's mortal enemies; who could counterfeit her hand; nay, who had often done it, by sending letters to England and elsewhere in her name, which she knew nothing about.

Our author next retorts the charge upon his adversaries in the following manner. "Either you must bring forth good and apparent witnesses to prove it her hand, or some such as were privy to the meaning of the said letters, which ye neither yet have done, nor are likely ever to do; or you must grant that you were privy to them yourselves with the Queen, or at least with the said Earl, whom ye surmise to have received these letters; or that all this is by you maliciously driven or concluded." From this dilemma it seems difficult to see how the adversaries of Queen Mary can escape; as the letters themselves mention nothing plainly; and those who shewed such knowledge in the interpretation of ambiguous sentences, undoubtedly indicate, in the very same proportion, their knowledge of the fabrication of them.



The bishop now proceeds to a consideration of one of the charges brought against the Queen by Buchapan, viz. That she shewed no sorrow for the King's death, nor kept herself in mourning for any decent time; the acquittal of Bothwell also, and her marriage with him so soon after her former husband's death being also taken into the account. To the first part of the charge he replies, that Darnly's body was embalmed, and laid in the same sepulchre with King James; the funeral being attended by the Lord Justice Clerk, Traquair, and several others of the nobility; though by reason that most of the Council were Protestants, the fewer ceremonies were made use of. The story of Mary's indifferent behaviour he utterly denies. He argues also that such kind of queens as Mary were not subject to the rules prescribed to others; Mary being a sovereign, but her husband only a private man, and a subject. Besides, in certain cases, women are by the civil law excused for omitting the customary forms of mourning. He avers also, that the Council themselves did vehemently persuade the Queen to shorten the time of her mourning, and to go to some more open and wholesome air. Notwithstanding all which, the very persons who advised her to the steps she took were the first to complain of her for them, and to represent her in the worst imaginable light on that very account. The second, and indeed the most important part of the charge, was that of the acquittal of Bothwell. To this he replies, that Bothwell was acquitted by his peers according to due forms of law; and none were more active in procuring his acquittal than the Lords Morton, Semple, Lindsay and others, who became afterwards the Queen's most inveterate enemies. It appears, therefore, that in every instance the persons who had the greatest share in promoting these transactions, raised the very first and loudest clamours against them. The marriage with Bothwell, (undoubtedly the worst step that was ever certainly known to be taken by Mary) was promoted by the nobility; nay, they were the first persons who persuaded her to marry again; by alleging the dangerous situation in which she stood, so that there was a necessity for her to have a husband and assistant, who might be capable of defending her against every adversary. If she would be contented to do so, they promised obedience to the Queen, and service to the person whom she chose for a husband. Many of them even bound themselves by an obligation under their hands to assist, maintain, and defend, him against all men that should impute the King's murder to him. Thus it is plain, that the charges of Mary's adversaries retort up-

on themselves, and had they not in a lucky moment found the box of letters, they could not have had the least shadow of proof; and the finding of it at such a critical moment is certainly a very strong presumption that the whole was fabricated.

This is the sum of what the Bishop has advanced with regard to the crimes directly charged upon Queen Mary; which we see depend entirely upon the authenticity of the letters. It is plain, therefore, as these letters had not in his time received any satisfactory proof, that they were genuine, there could then be no real proof of her guilt. Her greatest adversary in that age, Buchanan, has of consequence failed in his attempt; so that now we must have recourse to the more modern champions, of whom Mr. Hume and Dr. Robertson are the principal.

The arguments in favour of the authenticity of the letters, urged by Mr. Hume, are, 1. It is difficult to suppose them forgeries; because, though it be easy to counterfeit a subscription, it is far more difficult to carry on the deception through a number of pages. They were compared with Mary's hand writing by the English Privy Council, and a great many of the nobility, among whom were several partizans of the Queen. They might have been examined by the Bishop of Ross, Herries, and others of Mary's commissioners; and as the Regent must have expected them to undergo such a test, we may be assured that he well knew they were able to bear it. 2. Bishop Leslie declined a comparison of the hands, which he calls no legal proof. Goodall, Vol. II. p. 389. 3. The letters are very long, which increases the difficulty, and makes the forgery more liable to a deception. 4. They are not so gross and palpable as forgeries commonly are, as they still left a pretence for Mary's friends to assert, that their meaning was strained to make them criminal. 5. There is a long contract of marriage said to be written by Huntly, and signed by the Queen, before Bothwell's acquittal; and it is not to be supposed that Morton, supposed to be the forger, would have thus, without any cause, doubled the difficulties in carrying on his own scheme. 6. The letters were indiscreet; but such was apparently Mary's conduct at that time. They are inelegant; but they have a careless natural air, like letters hastily written between two familiar friends. 7. They contain such a variety of particular circumstances as no body could have thought of inventing; specially as they must have afforded more readily the means of detection. 8. We have not the originals of the letters which



were in French; we have only a Latin and Scots translation from the original, and a French translation expressly done from the Latin. Now, it is remarkable, that the Scots translation is full of Gallicisms; which is a clear proof that the original was French.

8. There is a conversation which she mentions between the King and herself one evening; but Murray produced, before the English Commissioners, the testimony of one Crawford, a gentleman of the Earl of Lennox, who swore that the King, on the Queen's departure from him, gave him an account of the same conversation.

9. There appears no reason why Murray and his associates should run the risk of such a dangerous forgery, which must have rendered them infamous if detected; since their cause, from Mary's known conduct at the time, was sufficiently good without them.

10. Murray exposed these letters to persons qualified to judge of them; the Scottish Council, the Scottish Parliament, Queen Elizabeth and her Council; who were possessed of a great number of Mary's genuine letters.

11. He gave Mary herself an opportunity of refuting and exposing him, if she had chosen to lay hold of it.

12. The letters tally so well with all the other parts of Mary's conduct during that transaction, that these proofs throw the strongest light on each other.

13. The Duke of Norfolk, who had examined these papers, and who favoured so much the Queen of Scots that he intended to marry her, and at last lost his life in her cause, yet believed them to be authentic, and was fully convinced of her guilt. This appears not only from his letters above mentioned, to Queen Elizabeth and her Ministers, but by his secret acknowledgments to Bannister, his most trusty confidant. In the conferences between the Duke, Secretary Lidington and the Bishop of Ross, all of them zealous partizans of Mary, the same thing is always taken for granted. Indeed the Duke's full persuasion of Mary's guilt, without the least doubt or hesitation, could not have had a place, if he had found Lidington or the bishop of Ross of a different opinion, or if they had ever told him that these letters were forged. It is to be observed, that Lidington, being one of the accomplices, knew the whole bottom of the conspiracy against King Henry; and was besides a man of such penetration that nothing could escape him in these matters.

14. Mary refused to answer to the charge concerning the genuineness of these letters. The only excuse for the silence is, that she suspected Queen Elizabeth to be a partial judge: It was not indeed for the interest of that Princess to acquit and justify her rival and competitor; and we accordingly find that Lidington, from

the secret information of the Duke of Norfolk, informed *Mary*, by the bishop of Ross, that the Queen of England never meant to come to any decision; but only to get into her hands the proofs of *Mary's* guilt, in order to blast her character. But this was a better reason for declining the conference altogether, than for breaking it off upon frivolous pretences, the very moment the chief accusation was unexpectedly opened against her. Though she could not expect Elizabeth's final decision in her favour, it was of importance to give a satisfactory answer, if she had one, to the accusation of the Scottish Commissioners. That answer could have been dispersed for the satisfaction of the public, of foreign nations, and of posterity. And surely, after the accusation and proofs were in Queen Elizabeth's hands, it could do no harm to give in the answers. *Mary's* information, that Queen Elizabeth never intended to come to a decision, could be no obstacle to her justification. 15. The very disappearance of these letters is a presumption of their authenticity. That event can be accounted for no way but from the care of King James's friends, who were desirous to destroy every proof of his mother's enemies. The disappearance of Morton's narrative, and of Crawford's evidence, from the Cotton Library, must have proceeded from a like cause.

An objection is made to the authenticity of the letters, from the vote of the Scottish Privy Council, which affirms the letters to be written and subscribed by Queen *Mary's* own hand; whereas the copies given into the parliament a few days after, were only written, not subscribed. But it is not considered that this circumstance is of no manner of force. There certainly were letters, true or false, laid before the Council, and whether the letters were true or false, the mistake proceeds equally from the inaccuracy or blunder of the transcriber. The mistake may be accounted for, the letters were only written by her: the second contract with Bothwell was only subscribed. A proper distinction was not made; and they were all said to be written and subscribed. Mr. Goodall has endeavoured to prove that the letters clash with chronology; and that the Queen was not in the places mentioned in the letters on the days there assigned: to confirm this he produces charters, and other deeds signed by the Queen, where the date and place do not agree with the letters. But it is well known, that the date of charters, and such like grants, is no proof of the real day on which they were signed by the sovereign. Papers of that kind commonly pass through different offices: the



the date is affixed by the first office, and may very long precede the day of the signature.

"The account given by Morton of the manner in which these papers came into his hands, is very natural. When he gave it to the English Commissioners, he had reason to think it would be canvassed with all the severity of able adversaries interested in the highest degree to refute it. It is probable that he could have confirmed it by many circumstances and testimonies, since they declined the contest.

"The sonnets are inelegant; insomuch that both Brantome and Rosard, who knew Queen Mary's style, were assured when they saw them, that they could not be of her composition. But no person is equal in his productions, especially one whose style is so little formed as Mary's must be supposed. Not to mention, that such dangerous and criminal enterprises leave little tranquillity of mind for elegant poetical compositions. In a word, Queen Mary might have easily conducted the whole conspiracy against her husband, without opening her mind to any person except Bothwell, and without writing a scrap of paper about it: but it was very difficult to have managed it so that her conduct should not betray her to men of discernment. In the present case, her behaviour was so gross as to betray her to every body; and fortune threw into her enemies hands, papers by which they could convict her. The same infatuation and imprudence, which happily is the attendant of great crimes, will account for both."

These arguments of Mr. Hume, as well as those urged by Dr. Robertson in his Dissertation, have been replied to at considerable length by Mr. Tytler in his Historical and Critical Review, &c. He observes, what indeed must be remarkably striking to every one who considers the matter, that it is amazing how Mary should commit to writing such palpable evidence against herself; and it must surprise no less how Bothwell, to whom the letters are addressed, should keep them in his hands. But these presumptions, though they naturally excite strong suspicions against the authenticity of the papers in question, do not amount to any positive proof. As it is abundantly evident, however, that no woman of common prudence or modesty would have written such letters, and as it is certain, that they passed through the hands of the Earl of Morton, who was Mary's inveterate enemy, it is necessary to examine minutely into the circumstances of this alleged discovery.

In this examination it is very remarkable; that though Morton was present at the trial of Dalglish who was executed for the King's murder, and from whom Morton is said to have received the box, yet not a single question was asked him about a matter of such importance. It was natural to think that as Dalglish had been apprehended only six days before, that he would have been confronted by the persons who took him, and asked, at least, what orders he had received from his master, Bothwell, about it; and as this was not done, it gives considerable suspicion that it was not then prudent to put such questions.

The letters themselves did not appear till the 4th of December 1567; when an act was subscribed by the Earls of Murray, Morton, and others of that party, declaring that their rising in arms, taking the Queen prisoner, and confining her in Lochleven castle, was on account of these letters, written and *subscribed* by the Queen. Nevertheless, only ten days after, Murray's first parliament justify the proceedings of the Lords, because the letters were written "wholly with her own hand." This contradiction betwixt the two accounts is so glaring, that Mr. Hume was reduced to the necessity above mentioned, of ascribing it to the blunder of the clerk. To this Mr. Tytler replies, that the papers said to be written, and subscribed by the Queen's hand, are the "privy letters written and sent to James Earl of Bothwell." These words can by no means apply to a contract; nor is there the smallest reason to imagine that the framing of two such important acts would have been left to a clerk. It is certain that the letters produced before the parliament had no signature; though Murray, Morton, and other conspirators asserted, before the Secret Council, that they were subscribed as well as written. Mr. Tytler accounts for this contradiction in the following manner: "The ardour of the forgers, to make the letters to Bothwell fully conclusive against the Queen, might very naturally prompt them at first to affix her subscription to them, and in this shape they were asserted by Murray, Morton, and others, before their own Secret Council, to be *written and subscribed with her own hand*. But after these cunning politicians came to consider deliberately, That "those horrible letters, (to cite the opinion of the English Commissioners in their own words) contained such foul matter, and abominable to be either thought of or written by a prince;" upon cool reflection, that it might shock the credulity of many people to believe, that the Queen would not only be so wicked as to write such letters, but even so far deprived of



common sense as to put her name to them; they might very naturally, in the copies they produced before the Parliament, sink the subscription, and, in place of mentioning the letters to be written and subscribed by the Queen, substitute *written wholly by her own hand*; in which form they ever afterwards appeared."

Whether this account of the matter will be more satisfactory than that of Mr. Hume, we must leave the reader to determine. On the latter, however, we cannot help remarking, that by Mr. Hume's extreme readiness to solve this contradiction, in favour of Mary's accusers, he must evidently have prejudged the cause, and been willing at all events to find that unfortunate princess guilty. No conclusion can be drawn from contradictory evidence; and indeed Mr. Hume himself seems to give up the letters by informing us, that Murray and his party had abundance of evidence against the Queen, without making any use of them.

Our author next observes, that the letters were not mentioned from December 15, 1567, till the month of October, 1568; and at this time they were not produced publicly, but shewn at a private conference by Buchanan, Lethington, and M'Gill, in a secret conference with the Bishop of Ros and others, on the part of Queen Mary, in presence of the Duke of Norfolk, the Earl of Suffex, and Sir Ralph Sadler, as Commissioners for the Queen of England. At this conference they protested that they did not shew the letters to the English noblemen as Commissioners, but for their instruction; after the declaration of such circumstances as led and induced to vehement presumption to judge the Queen guilty of the King's murder. Thus they had the advantage of calumniating the Queen, at the same time that they refused openly to bring forth the proofs of her guilt, though called for by the Commissioners at that time. It was on this occasion that Mary, in the instructions to her Commissioners, complained that there were people in the kingdom who could forge her hand; and that these forgers were "principally such as were in company with themselves," meaning the conspirators.

The letters being thus shewn *privately*, an abstract of their contents was next drawn up and sent to Elizabeth, which is still extant; and on this proceeding Mr. Tytler very justly observes, that it "has too much the air of assassination;" and he observes that Dr. Robertson passes it over entirely in silence. It is plain, however, as our author also very justly observes, that by such proceedings the English Court shewed no inclination to adopt a plan for saving Mary's honour, and that even at this time the

Duke of Norfolk was the dupe of Murray, who soon after betrayed him.

The conferences betwixt the Commissioners from both kingdoms being adjourned to Westminster, Murray and his party were graciously introduced to Elizabeth, and on the 26th of November gave in their accusation against their Sovereign. Mary being informed of this proceeding, demanded also to be introduced to the presence of the Queen of England; but this was refused, until she should clear herself from the accusations of her subjects, at the same time that Elizabeth declared that she would receive proof upon these accusations.

It is difficult, nay impossible, to read an account of such shameful partiality without indignation. The Queen accused her subjects of crimes of a *public* nature, viz. Treason and rebellion; and these needed no proof; for the taking up arms against their sovereign, imprisoning, and then driving her out of the kingdom, were matters so notorious, that all the world knew of it. On the other hand, Mary was accused by them of crimes in her *private* capacity as a woman, and as a wife; and however enormous these might be, her subjects had not any right to try her, much less to punish her first, and then attempt to prove her guilt, which they most certainly did. Elizabeth, therefore, ought to have admitted none of the parties into her presence; or to have admitted both. Nay, though Mary had been admitted, the Earl of Murray ought at any rate to have been refused, as being the arch-rebel, who had assumed the sovereign authority, and whose crimes against the state could not be palliated even for a moment. It is no wonder, therefore, that the Scots Commissioners instantly broke up the conference. They remonstrated against the proceeding as "a preposterous order, never used in any treaty or conference, yea, not even in cases of judicial procedure, to receive probation before the party was heard to answer the allegiance, and especially in so weighty a cause. They, therefore, protested, that no further be proceeded in this conference."

This piece of partiality was instantly followed by another. Though Elizabeth had nothing farther to do in the matter, after this declaration of the Scots Commissioners, yet resolved not to let her escape whom she so much hated; she demanded, at that very meeting, from Murray and Morton, the proofs they had of Mary's guilt; in consequence of which, the box with the papers and sonnets were immediately put into her hands, along with the depositions of Hay, Hepburn, Dalgliesh and Powrie, four of the



servants of Bothwell; who, though they all concurred in accusing their master, yet none of them pretended to lay any thing to the charge of the Queen; nay, it was asserted by their friends, and not denied by the opposite party, that all of them concurred in declaring her innocence.

Thus, again, it appears contrary to Mr. Hume's assertion, that the conspirators had no evidence whatever to produce besides the letters in question; and it was their interest to defend them to the utmost of their power; and, in this most important point, they were so intolerably defective, that the single affirmation of Morton, giving an account of the way in which they came into his possession, is all that they have to produce.

Morton affirmed that he got them in the way already mentioned, from Dalgliesh, Bothwell's servant; and Crawford, a dependent of the Earl of Lennox, gave his testimony in favour of meeting with Mary, and some other incidents of little consequence. But here, Mr. Tytler observes, that whoever did write the letters, would take care to inform himself of every circumstance he could which might serve to establish the credit of his narrative. Hume himself takes notice that Crawford was informed by Darnly of a conversation which passed between the Queen and him; and if he, as a husband, was so silly as to inform others of the discourses he had in private with his wife, it is no wonder to find her enemies possessed of the knowledge of many particulars which otherwise they would not have known. Surmises, calumny, and scandal, would furnish a great deal more; and it was easy to fabricate a letter, in which the Queen should own the truth of what, perhaps, the letter-writer himself was the inventor, and of which she never heard.

Our author has already taken notice of the strange behaviour of Morton in not confronting Dalgliesh with the witnesses who seized the box; but this deficiency was still more manifest in his not calling in a witness, who was living at that time, though Dalgliesh had been hanged soon after his confession of the murder of the King by Bothwell. This was one Paris, or Nicholas Hubert, a servant of Bothwell, mentioned in one of the letters, and who is said to have been the person intrusted to carry the letters from the Queen to Bothwell. "This man, says our author, had been kept in close confinement in St. Andrew's all this time. Now, when one sees the remarkable care and attention of the party in collecting every circumstance which they supposed could be matter of proof against the Queen, in sup-

port of their accusation, their penury of proof notwithstanding, and the pinching necessity of supporting the only evidence they had (that of the letters) by the bare and single affirmation of Morton himself, the Queen's accuser and most inveterate enemy, it is impossible to overlook, without the strongest suspicion, their omitting to have produced so very material an evidence as this Frenchman, in person, to have answered to the questions of Mary, or her Commissioners, before the English Council, and to the part assigned to him in the letters themselves.

"Mr. Hume has been very sensible of this defect of Murray's, in not calling upon Paris, and he endeavours to supply it in a pretty extraordinary manner. "On giving in the letters, (says he) Murray fortified this evidence by some testimonies of corresponding facts; and he added, some time after, the confession of Hubert, or French Paris, a servant of Bothwell, who had been executed for the King's murder; and who directly charged the Queen with being accessary to that criminal enterprise." He afterwards adds, "It is in vain at present to seek for improbabilities in this confession: it was certainly a regular judicial paper, given in regularly and judicially, and ought to have been canvassed at the time." From this account Mr. Hume would make one believe, that that piece of evidence, Paris's confession, had been given in by Murray a few days after the letters, at least while the conferences subsisted; yet nothing can be more false. The conferences broke up, and the Earl of Murray and his party got licence from Queen Elizabeth to return home to Scotland, in January 1568-9. Paris, after lying in close confinement till August 1569, was then put to death; at which time it is pretended he made these confessions against the Queen."

Mr. Tytler now considers the subsequent conduct of Mary, and vindicates it from the censures of Dr. Robertson, by whom she is blamed for proceeding any farther in the matter. The Doctor condemns her also on account of an accommodation which Lord Herries had proposed with Murray and his party, as a tacit acknowledgment of her own guilt; but, though Mr. Tytler agrees that this proposal was made at a very improper time, he observes that it ought not to be imputed as any presumption against Mary; because both Herries and Ross declared that it was made without her knowledge, and the accusers had not then produced any part of their proof. Her subsequent conduct, he thinks, was the best she could possibly make of matters as they stood. Her accusers



had taken care to produce their proofs already to Elizabeth, and though her Commissioners had declined any further conference, she still continued to proceed. For this reason Queen Mary wrote a letter to her Commissioners, dated 19th December, 1568, desiring the inspection, and copies of the letters and papers which had been produced against her. Instead of this, however, Elizabeth only desired an *extract*, or summary of the contents of them to be given her; and whatever this was, Mr. Tytler supposes it was no more than a copy of her accusation. No other answer could now be returned by Mary than that the letters were forged; and she again insisted for an inspection of the original letters, and to have copies of them, in which case, she would make the forgery manifest. Even the copy, however, though from a copy no forgery could have been detected, was constantly denied her. Instead of this, Elizabeth *modestly* proposed that Mary should resign the crown in favour of her son, and remain in England as a private person. Even this proposal was in contradiction to what she herself had said before the box and letters were produced; for then she was of opinion that it was inconsistent with Mary's honour and innocence to have the matter ended by appointment; and now when the proofs against her were produced, the perfidious English princess absolutely refused her an opportunity of vindicating her innocence.

The answer made by Mary to this ignominious proposal shewed at once her high spirit and conscious innocence. She was determined rather to die than submit to such an indignity, and the last words of her life should be as Queen of Scotland. She was now determined, though justice could not be expected at the hands of Elizabeth, to vindicate her innocence, and to prove that Murray, Morton, and Lethington, whom she had already publicly accused, were the devisers and perpetrators of the murder. This, however, was totally inconsistent with the views of Elizabeth. She had encouraged Murray and his party publicly to accuse their sovereign, and had got into her hands what they called a proof of her guilt. She was assured that this proof would be sustained by the world as genuine, until it was exposed, and its fallacy detected; but, as Elizabeth had no mind that this should be done, it was now time to dismiss Murray and his associates, both to prevent Mary from vindicating herself, and likewise to free them from a dangerous attack from her.

The farce, however, was still carried on. The traitors desired to know whether the Scots Commissioners would accuse them

personally. To this they replied, that they had already been commanded to accuse the Earl of Murray, and his adherents, by letters under the Queen's signet; that they had already given in their accusations, and would abide by them, as well as by the defence of the Queen's innocence; and as soon as they were furnished with copies of the letters, &c. they would enter upon particulars. This resolute way of proceeding proved so disagreeable to Murray and his accomplices, that the very next day they desired leave to depart for Scotland, which was very readily obtained. The day following, the Bishop of Ross and Lord Herries were acquainted by Secretary Cecil, that Elizabeth would not refuse the copies of the letters, provided Mary would send a letter signed with her own hand, promising to answer to the charges contained in them. The Scots Commissioners instantly replied, that this had already been done by two writings shown and read in presence of Elizabeth herself, in which she offered to answer upon certain conditions there expressed; "so being that she might have the writings, or at least the copies of them." Cecil made no answer; indeed it was difficult to invent an answer on such a trying occasion. Mary's Commissioners, however, took the opportunity of complaining in name of their mistress, that "the Earl of Murray and his adherents, who had been publicly accused by the Queen, were allowed by the Queen of England to depart for Scotland, without abiding to hear Queen Mary's defence of her innocence, or to answer to her charges against themselves. In which case it was but reasonable to allow the Queen to depart also; the injustice being apparent of detaining the one in England, and allowing the others to go off."

The answer given to this reasonable demand was, that Murray had promised for himself and his company to return to England whenever the Queen should call him; but in the mean time their mistress could not be suffered to depart for many reasons.

"In this manner, says our author, did Murray and Morton, with their box and letters, withdraw from the conferences in England. What became afterwards of the letters, we know not. They are now lost, or have been destroyed, nobody knows how. This we are certain of, and have seen, that Queen Mary, notwithstanding her frequent assertions that they were forged by her accusers, and her repeated earnest supplications, both under her hand and by the mouth of her Commissioners, to see the letters, to answer them, and prove the forgery upon Murray, and Morton, could not prevail in so reasonable a request. And, to her



dying hour, these very letters upon which only, at this day, her enemies pretend to found any proof of her guilt, were most industriously hid from her, and at last buried forever in the same pit of darkness from which they had at first emerged."

Mr. Tytler having thus set forth, in a strong point of view, the ignominious manner in which Queen Mary was treated by the perfidious Elizabeth, and her no less treacherous allies, Murray, Morton, &c. proceeds to point out a contradiction in Hume's account of the matter. That historian informs us that Mary absolutely refused to answer by her Commissioners to the charges produced against her; for which they gave this "extraordinary reason;" that as their mistress was a Sovereign Princess, she was not accountable to any tribunal; and they required that she should be previously admitted into Queen Elizabeth's presence. He tells us also, that Elizabeth had always pretended to enter into the conferences only as the friend of Queen Mary, and by her own consent; without assuming any jurisdiction over her, in which case, when she refused to answer, no more could be done in the matter.

"If this, says Mr. Tytler, was a necessary consequence of Mary's refusing to answer, (unless in person, Mr. Hume should have added) it may be asked, How came Elizabeth, notwithstanding, to proceed in the trial, in absence of both Mary and her Commissioners? Was not this the height of partiality in this pretended friend of Mary, to hear her enemies by themselves, or to receive any thing from their hands as sufficient proof against her, upon their word only? And, when she did so, ought she not in common justice, to have communicated the same to Mary?"

Mr. Hume further informs us, that besides the letters and sonnets, Murray fortified his charge by certain corresponding facts and testimonies, to which he added, "some time after, the dying confession of Hubert, who *had been* executed for the King's murder, and directly charged the Queen, &c." "Would not any one, says Mr. Tytler, believe, from this account, that Hubert had been hanged before the time here spoken of by Mr. Hume, and that his confession was produced during the conferences; and yet we have seen that Hubert was alive all the time of the conferences, and no confession from him, nor the least mention made of his name for ten months after they broke up."

Mr. Hume goes on to assert, that Mary's Commissioners had endeavoured to avoid this dilemma; and, being unable to answer satisfactorily, gave no answer at all, but broke up the

conferences; and he considers this *recoiling from the inquiry*, as he calls it, to be an undeniable proof of Mary's consciousness of her guilt. In answer to this, Mr. Tytler quotes the record dated at Hampton-Court, December 25, 1567. This paper sets forth, that on that day Mary's Commissioners declared, that their mistress could not suffer their slanderous accusations to remain *unanswered*; but *would answer* them in defence of her own innocence, and in accusation of them as authors, inventors, and executioners of the King's murder. "Which being read before her Majesty and her council, they most humbly desired her Majesty to cause them have such writings as were produced against their mistress by her adversaries."

As Mr. Hume undoubtedly perused this record, it is by no means easy to see how he could fall into such a strange mistake; but Mr. Tytler observes, that his account is directly contradicted almost in every sentence of the records, which it appears, he himself has perused. "At the same time, adds our author, it is easy to perceive the poor evasion that Mr. Hume pretends to make for this so strange a detail. *1<sup>st</sup>*, That Mary had insisted to confront, personally, Murray and Morton, her accusers, in presence of Elizabeth, the whole English nobility, and foreign ambassadors; which Mr. Hume is pleased to say, was such a request as could not be granted: and, *2<sup>dly</sup>*, That, this request being refused, Mary's Commissioners had protested against all further procedure, on the 9th of December; the conferences, therefore, according to Mr. Hume, were from that minute, as he has said above, finally broken off. But this is such a pitiful shift, in which our author has followed Anderson, who breaks off his Collections, and gives us no more of the proceedings of the English Council after the 16th of December 1567. Mr. Hume has told us, that Elizabeth only entered into these conferences as the friend of Mary, and by her own consent, without assuming any jurisdiction over her. In consequence of this, Mary demands to be personally heard, upon her defence, to confront and interrogate her accusers in presence of all the world: A demand, that, without regard to Mr. Hume's opinion, will, I presume, be thought a most just and necessary one. Elizabeth refuses it: Mary's Commissioners, on so manifest a partiality, protest against all further procedure in the matter. What follows: Do the conferences finally break up? No, 'tis quite otherwise: On the 16th of December 1567, Elizabeth "would not consent that any of the Scots Commissioners should depart the kingdom before the end of this



conference." She allowed Murray and his associates to proceed, and produce the proof of their accusation; and, twelve days after the protest, she wrote to Mary, and advised her to make answer. This Mary had determined to do, before the date of Elizabeth's letter of the 21st of December; and had already written her resolution to her Commissioners, on the 19th of that month, to have inspection of Murray's proof, and doubles of all the writings; "and, with God's grace, (says she) I shall make such answer to their accusation, as my innocence shall appear, and their guilt." It is plain, therefore, that, as the conferences were entirely founded on the consent of parties, allowing that Mary's Commissioners, or even that she herself had broke them off, yet, as Murray and his associates, on their part, were still going on before the English Council, it was still in Mary's power to resume her defence, as Elizabeth herself desired that she should do; and which she did accordingly, in the strongest manner, by letters under her hand and signet. We also see, from the records of Queen Mary's register, that the proceedings at Hampton-Court were both frequent and regular: On the 10th of January 1568-9, at Queen Elizabeth's command, Cecil, her secretary, declares to Murray and his accomplices, that "There had been nothing sufficiently produced, nor shewn by them against the Queen their sovereign, whereby the Queen of England should conceive or take any evil opinion of the Queen her good sister, for any thing yet seen." On the 11th of January 1568-9, Murray, Morton, and their adherents, were publicly accused by Queen Mary, for being guilty of the King's murder; notwithstanding which, the very next day, Murray and his adherents got public licence to depart; and the conferences were continued from day to day, until the 2d of February 1568-9."

Mr. Tytler next proceeds to a more particular consideration of the genuineness of the letters in question. From the above state of the case, the partiality of Queen Elizabeth to the enemies of Mary is evident. That she had ever any intention of vindicating the honour of the Scottish princess is absolutely incredible; since every step she took tended more and more to blacken her; and having now, as she pretended, got the proofs of her guilt into her hands, they were not long in being circulated. Copies of the *Love Letters* and *Sonnets* were published to the world; but though there is no doubt that Mary would in this way procure copies as well as others, yet it was impossible to give any other answer than by a simple denial, and by setting forth in as strong

terms as possible, the circumstances which tended to shew the improbability of her being guilty; and this undoubtedly was done over and over, though without any good effect. What the bishop of Ross said concerning them has already been taken notice of. He mentions also the dying confession, but differs widely in his account of it from what is recorded by the enemies of Mary; for he tells us, that, "at his execution, he took it upon his death, as he should answer before God, that he never carried any such letter, nor that the Queen was participant, nor of council in the cause."

From this time, these letters were no more heard of, till the time that Buchanan published his Detection, which Mr. Tytler dates in 1571, though Anderson makes it a year later. The box with the originals, having long been lost, the French copy which is now extant, has been supposed to be taken from the original, and underwent several editions as such; but Mr. Goodall has endeavoured to shew, from a consideration of the letters themselves, and by comparing the different copies with one another, that they cannot possibly be genuine.

His arguments are reduced by Mr. Tytler, to the following.

1. The letters said to be written in French by the Queen, as now extant, have been held by all parties as true copies of the originals produced by Morton. Buchanan not only had them in his custody, but translated the three first of them into Latin; and the Scots copy contained eight letters, with the love verses. A French translation of Buchanan's Detection, was printed at London in 1572, under the name of Thomas Waltam; but there never was any printer of that name in Scotland.
2. By comparing those different copies together, Mr. Goodall has shewn, that instead of the Scots and Latin being translated from the French, the latter is plainly a translation from the Latin, and the Latin from the Scots.
3. The Latin translation is full of errors; and as often as these occur, the French always follow them.
4. As often as there happens to be a blunder in the Scots copy, both the Latin and French follow it; of which among several others we shall mention the following very remarkable one. The Queen is made to say, that she was going to seek her rest till to-morrow; when, says she, I shall end my *bible*, in place of her *bill*, a word used commonly at that time for any kind of writing. Both the Latin and French copies have this blunder in them; and it is absolutely certain, that it would not have originated in the French; so that this single circumstance shows, almost de-



cifully, that the letters have been fabricated. 5. Mr. Goodall has proved so clearly, that the letters we have at present are translations from Buchanan's Latin and the Scots copy, that even Mr. Hume and Dr. Robertson have been obliged to own, that the original copies are lost; and that the French are palpable translations from the Latin and Scots.

Our two learned historians have endeavoured to evade the force of this argument, in the following manner: "The original letters, say they, are lost, and we know nothing of them." Mr. Tytler cites the following passage from Robertson's Dissertation in answer to Goodall. "All this author's premises may be granted, and yet his conclusions will not follow, unless he likewise prove, that the French letters, as we now have them, are a true copy of those which were produced by Murray and his party in the Scots parliament, and at York and Westminster; but this he has not attempted." Mr. Goodall is obliged to the learned Doctor for having done it for him in his Dissertation, by fairly acknowledging that Buchanan made his translation not from the French, but from the Scots copy. The historian here ingenuously tells the truth, though, perhaps, he was not aware of the consequences. Had there been any other French letters than the present, what occasion had Buchanan for the Scots, when he himself must have had possession of the originals? Buchanan was actually one of the assistants appointed to the Scots Commissioners, and intrusted with the conduct of the whole process, and did, with Lethington, M'Gill, and Wood, a Lord of the Session, exhibit the original letters, and explain their contents in private to the English Commissioners. Buchanan could not have lost or mislaid them, because it is evident from Mr. Anderson's account, that these letters were translated by Buchanan at London, during the time of the conferences.

It now becomes very reasonably a matter of question whether any letters besides those which we now have, ever existed. "Surely, says Mr. Tytler, it is a fair conclusion to assert, that, if they did not exist with Buchanan, they did not exist at all; and if the Scottish Commissioners, who were said to produce them, never saw them, nobody else ever did. It cannot be pretended that Buchanan did not understand the French. He passed most of his life in that country, and taught a school there. Indeed, since the Doctor has been driven to deny that the French letters are true copies of the originals, by all the rules of proof and criticism, it was his business to produce these originals. But, how is it

possible to fix men, who, after having, for two hundred years, quoted and insisted on these letters as originals, and have even commended the elegance of their composition, on finding themselves forced to give them up, have now recourse to other letters, which they acknowledge to be lost; and now pretend to say never were seen, even by Buchanan himself who was employed by the public to produce them. None of the adversaries of Queen Mary ever pretended that the present French letters were vitiated translations. Not even Morton himself, nor Buchanan, who lived many years after their publication, ever said so; which it was incumbent on them to have done; neither did any body ever pretend that they were vitiated, before Mr. Goodall demonstrated them to be so. It is incumbent, therefore, upon those who insist on their authenticity, to produce the originals. Mr. Hume tells us that "it is in vain at this day, to object to the letters; they were regularly and judicially given in, and ought to have been canvassed at the time." Had the Queen remained silent at the time when Murray produced these letters, there is no doubt that the argument would have held good; but this was by no means the case. On the contrary, she endeavoured by repeated supplications, to have them for the inspection of herself or her friends; in which case she would have undertaken to prove forgery; but so far was this from being the case, that the box with its contents were sent back in haste to Scotland with Murray and Morton, and what they did with them nobody can tell.

"But now, that it is said the original papers are lost, how is it possible to make good the accusation against the Queen? By copies it would appear. Let it be so; these copies have now been examined, and detected to be vitiated in such a manner, as it is forced to be acknowledged, that the Queen could not have written such letters. We are now told, that although the letters extant at present cannot be said to be either the originals, or copies from the originals, yet they are translations from translations, at the third hand. "The French translator declares that he translated them from the Latin." He says, indeed, that, having no manner of knowledge of the Scots language, he chose rather to express all that he found in the Latin. That this could not comprehend all the letters is plain, because only three of them were put into Latin by Buchanan, and the rest were in Scots, a language which, he says, he knew nothing of. How then got he these last? But, in order to expose the deception, here it will be necessary to trace the history of the French letters for



some time back. "We have already seen that Buchanan published his libel called *Detectio Mariae*, both in the Latin and Scots languages; to which he subjoined a Latin translation of the three first French letters, and all the eight letters in the Scottish language. The very next year, about the time of the Duke of Norfolk's examination, and while a treaty was carrying on betwixt Elizabeth and the King of France, it was thought proper to publish a French translation of the Detection, with all the letters, which being said to be written by the Queen in French, were surely printed *verbatim* from the originals. But this French translator has declared that "he had no knowledge of the Scots language, and therefore chose to express all he found in the Latin." But Buchanan translated only three of the letters into that language: from what hand therefore did this supposed Frenchman procure the other four letters in French? For he published seven of them that were produced by Murray and Morton. Will it be said, that after finding he could not procure copies of all the original French letters, he translated the three first from Buchanan's Latin version; and for the other four, he had recourse to some friendly Scotsman, who translated these into Latin, from which the Frenchman translated them again into French, in the shape they now stand? How strange a process this? How contrary to all credibility?

"But even to make this ill-contrived tale go down, he tells a direct lie. He says, that *all* the French letters were translated into Latin; from which language he chose to translate all that he found. From all which it seems pretty evident, that the affected disguise and lies of this impostor, were contrived to make us believe, that the book was not printed in London."

Mr. Tytler next proceeds to shew that the probable reasons of all this deceit and lying were, that, in this year (1571), there were negociations going on for a marriage betwixt the Duke of Anjou and Queen Elizabeth. Mary had constantly an ambassador at that Court, soliciting her release from the hands of her enemy; and, at this very period, her relation, the Duke of Guise, was in the height of glory and power at that Court. To defeat these solicitations, therefore, and to afford a plausible reason for keeping Mary in prison, it was necessary to represent her in the blackest colours possible to the princes on the continent; which had already been done sufficiently in England, by the publication of several editions of Buchanan's Detection, and Mary's letters.

That this was the case, is extremely plain from the instructions given to the English minister at the Court of France, "It were not amiss to have divers of Buchanan's little Latin books to present, if need were, to the King, as from yourself, and to some of the other noblemen of the Council, for they will *serve to good effect to disgrace her.*"

Dr. Robertson has produced the testimony of two French writers, to prove that the book was not printed in London; but Mr. Tytler has shown that one of his testimonies makes rather against him. The author indeed says, that the Latin Detection of Buchanan was translated into French by one Camuz; but this nobody will pretend to dispute; though it says nothing as to the place where it was printed. On the other hand, it is plain, from his words, that it was not printed in that country, but sent thither afterwards, and dispersed through that kingdom. Nay, one of them, Blackwood, says, that it was translated and printed at Rochelle; but if that was the case, who furnished them with the materials for this translation. But wherever they were printed, there can be no doubt that the publisher must have printed them from the originals. If in London, there they were in every body's hands; and if in France, one of the author's quoted by Dr. Robertson asserts that Buchanan sent over the whole to his brethren in that country.

Another argument brought by the Doctor, is, that, in the Scots translation, there was prefixed to each letter two or three sentences of the original French; which, breaking off with an *&c.* the Scottish translation of the whole followed. The French editor, observing this, foolishly concluded, that the letters had been written partly in French, and partly in Scots. In answer to this, however, our author observes, that nothing can be inferred from the words of an author whose intention was manifestly to deceive; though it will by no means be easy to convince us that he was either ignorant or foolish.

The Doctor next endeavours to support his argument, by shewing that the first sentences, by the spirit and elegance in them, appear to be the only remaining parts of the original French, as written by the Queen; and what follows them are only servile translations from the Latin version of Buchanan. This, at best, must be a very vague argument, and depend on the fancy of every reader. Mr. Tytler owns that, in some instances, the French has a happier turn than the Latin translation; but this proves no more than that, in a few scattered sentences, on a poor,



low translation may express a thought better than an original. Mr. Goodall, however, has shewn that the Scots copy is the only original one; and this by such arguments as cannot easily be refuted. We have already taken notice of the scandalous error, *bible for bill*; which has run through both the French and Latin. In like manner, the Scots word *irkit*, i. e. *weary*, has been written *nakit*, and though it makes the sentence plainly nonsense, has been translated in the Latin *nudata*, and in the French *nue*.

Another argument used by Mr. Hume is, that the Scottish letters are evidently a translation from some French original which we now have not; but the answer to this is obvious. In the time of Queen Mary, and long after, the intercourse between the French and Scottish nations had intermixed the language of the former with that of the latter; so that even French words were sometimes used in the language of Scotland; the remains of which are not to this day totally eradicated. Instances of this are pointed out by Mr. Tytler, from many other writings; so that the argument of Mr. Hume, drawn from this quarter, must fall to the ground.

Lastly, Mr. Tytler considers the style of the Scottish copy of those letters, and finds a number of proverbial sentences and phrases peculiar to the language of this country, to which the French have nothing similar in their language. Both Mr. Hume and Dr. Robertson own, that this Scottish copy is the original of the French and Latin translations; and if there ever was any other, it is incumbent on those who take the affirmative side of this question to produce them, or at least to shew that there ever existed another copy than the present, as well as to explain in what manner this supposed original came to be lost, after being in every body's hands, both in England and Scotland, which surely must be accounted a matter of no little difficulty.

Our author now proceeds to answer particularly the arguments of Dr. Robertson, of which he gives a summary; and this, through the arguments at large, are to be found in the Dissertation contained in the body of this volume, we shall here transcribe for the ease of the reader's memory. They are as follow,

" 1. Murray, and his adherents, affirmed, upon their word of honour, that the letters were written with the Queen's own hand.

" 2. The letters were produced in the Regent's parliament, and are mentioned in the act against Mary, as the chief argument of her guilt.

“3. They were shewn privately to the Duke of Norfolk, Earl of Suffex, and Sir Ralph Sadler, Elizabeth’s Commissioners at York, who considered them as genuine.

“4. They were believed by Elizabeth and her ministers to be genuine: They laid them before the English Council; who, on comparing them with other letters of Mary, believed them to be genuine.

“5. The Earl of Lennox, and his lady, believed Mary guilty of the murder.”

Besides the Doctor produced the following internal evidences for the authenticity of these letters.

1. That “whenever a paper is forged with any particular design, the forgers take care to make it as full and explicit as may be, to avoid any appearance of uncertainty, and all kind of cavil. Forgers seldom err in proving too little, but are apt to fall into the other extreme.” Had the letters in question, therefore, been forged, the Doctor thinks it probable, that instead of obscure hints, and dark ambiguous expressions, there would have been the most full and open proofs of her guilt. All Mary’s advocates insist that there is nothing in the letters which amounts to a proof of her guilt. It was not to be supposed, therefore, that the forgers would have been at so much needless trouble to involve themselves in guilt and danger when, after all, it did not answer their purpose.

2. Skilful forgers avoid any long details, on account of the difficulty of keeping a proper connection in a long chain of circumstances without discovering the fraud. But Mary’s letters, especially the first, are filled with a multiplicity of circumstances, “extremely natural in a real correspondence, but altogether foreign to the purpose of the Queen’s enemies, and which it would have been absurd to have inserted, had they been altogether without foundation.”

3. The reality of several circumstances in the letters are confirmed by undoubted collateral evidence; of which the story of Crawford, gentleman to the Earl of Lennox, already mentioned, is brought as an instance. “He declared, that, during the Queen’s stay at Glasgow, the King repeated to him, every night, what had passed through the day betwixt her majesty and him, and that the account given of these conversations in the first letter, is merely the same with what the King communicated to him. According to the same letter, there was much discourse between the King and Queen concerning Mynto, Hiegait, and



Walcar. This was altogether unknown, till a letter of Mary's preserved in the Scots College at Paris, and published by Keith, discovered it to be an affair of so much importance, as merited all the attention she paid to it at that time." The pain to which the Queen was subject in her side, is likewise mentioned in the Doctor's opinion so naturally, that it can scarce belong to any thing but a genuine production.

4. In her first letter, the Queen mentions her having sat up late writing; and that she had written out all her clean paper, so she continued the writing upon a sheet on which she had formerly written notes or memorandums. "These memorandums still appear in the middle of the letter; and what we have said, seems naturally to account for the manner how they might find their way into a real letter. It is scarce to be supposed, however, that any forger would think of placing memorandums in the middle of a letter, where, at first sight, they make so absurd and unnatural appearance. But if any shall still carry their refinement so far as to suppose that the forgers were so artful as to throw in this circumstance in order to preserve the appearance of genuineness, they must, at least, allow that the Queen's enemies, who employed these forgers, could not be ignorant of the design and meaning of these short notes and memorandums; but we find them mistaking them so far as to imagine, that they were the credit of the bearer, i. e. points concerning which the Queen had given him verbal instructions."

5. "Mary, mentioning her conversations with the King about the affair of Mynto, Hiegait, &c. says, 'To-morrow I will speak to him upon that point;' and then adds, 'As to the rest of Willie Hiegait, he confessed it; but it was the morning after my coming before he did it.' This addition, which could not have been made till after the conversation happened, seems either to have been inserted by the Queen into the body of the letter, or perhaps, she having written it on the margin, it was taken thence into the text. If we suppose the letter to be a real one, and written at different times, as it plainly bears, this circumstance appears to be very natural; but no reason could have induced a forger to have ventured upon such an anachronism, for which there was no necessity."

In answer to these arguments, Mr. Tytler observes, 1. That the exhibition, and collation of these letters was made entirely by the Queen of England and her Council, along with Murray, Morton, and the rest of the Queen's adversaries; and that upon

Mary and her Commissioners insisting for a sight of them, or for copies, they were instantly sent off to Scotland; which consideration undoubtedly cuts off every argument that can be drawn from the words of Murray or Queen Elizabeth.

1. Though the eagerness of a forger would naturally have hurried him on to make the letters quite explicit with regard to Mary's accession to the murder, the observation cannot be said to hold universally. Had a single person been the author of these letters, no doubt it might have been allowed to hold good; but it must be considered that Murray, Morton, Lethington, and Buchanan, are said to have been the actors in this scene, to which society we cannot possibly ascribe much of the rashness in question. One instance, however, of this rashness has been given in their first producing letters with a subscription annexed to them; and afterwards others without it. Considering afterwards, however, that to affix a signature to such shameful letters would have a suspicious appearance, they afterwards suppressed this copy, and produced others, the only mark of authenticity of which was, their being wholly written with the Queen's hand.

The Doctor, our author observes, has shown no great impartiality in drawing an argument against the Queen from the apology made by her friends, that the letters were not conclusive. He asks, what could any person have done more than to insist on being brought personally before Queen Elizabeth, the nobility of England, and the foreign ambassadors, to plead her cause in person. She asserted, in the strongest language, that the letters were forged by Murray, and his agents, and that she would prove it; nor can we suppose that they would have denied the charge in more energetic terms, than it was urged home upon them by her advocate the bishop of Ross.

2. and 3. In answer to what is said, that the contents of the letters were natural, and that they were replete with many incidents known to be true, Mr. Tytler considers the plan which the manufacturers of these letters must necessarily have followed. One of their first steps must have been to get good information of the Queen's situation at the time, with an account of those who were about her person, and what occurrences happened in her presence. In all this there was no difficulty. Murray, Morton, and Lethington, were all in the Queen's confidence, and none of them could be ignorant of her having a pain in her side; and we have already taken notice of the way in which Crawford procured his intelligence, so that his testimony could not in the least



have proved the letters to be genuine, but rather the contrary. It is remarkable that this person declared, not only that he was told every word by the King, of what passed between the Queen and him in conversation through the day, but that he wrote down every word, that he might be the more ready to give an account of it whenever the Earl of Lennox should think proper to call upon him to do so. Now, says Mr. Tytler, "Let me ask why this exactness to write down what he could tell Lennox, who was himself at Glasgow, by word of mouth, the next minute? And, for what end did he keep these writings by him after he had told them to Lennox? From inspiration or foresight, no doubt; that, some years after, he would be called upon to relate over again these conversations to Queen Elizabeth and her Council, to give faith to letters, which at the time that he set down his notes did not exist."

From all this it appears, that there was not in this letter any thing but what was either publicly known, or publicly reported at the time; so that, unless the letter-writer had discovered something which could not have been known without it, there cannot be the least reason to suppose, from its contents, that it is genuine; *private* letters are not usually written about public conversations, or common reports. One exception, indeed, is made by the Doctor, viz. the affair of William Hiegait, Mynto, and Walcar, which, he says, remained altogether unknown, till a letter from the Queen to the Archbishop of Glasgow, published by Keith, discovered it to be an affair of importance. Were this information just, there is no doubt but it would be acknowledged to have great weight. But so far is this from being the case, that from the contents of the letter, it appears that the matters spoken of in it had already been circulated all over the country. The matter was, that this William Walcar, a servant to the Archbishop of Glasgow, came to the Queen at Stirling and declared, that it was openly reported, that the King designed, with the assistance of the nobility, to crown his son, and assume the government in his own hands; and, being pressed upon the subject, he named William Hiegait as his author. But on their examination before the Council, both of them denied separately, as well as when confronted together; only Walcar confessed that he heard a report of a design to imprison the King.

Thus the arguments for the authenticity of the letters in question, drawn from their contents hitherto divulged, fall to the ground. The most remarkable of all, however, yet remains, viz. Concerning

the notes and memorandums in the middle of the first letter. This argument is taken from a passage in that letter, where the Queen is made to say, "Excuse that thing that is scribbled; I had no paper yesterday, when I wrote that of the *memorial*." For lack of paper, then, says the Doctor, she was obliged to continue her letter upon a separate paper, upon which she had written down her notes and memorandums, which is a circumstance that no forger could possibly have thought of. "I own, says Mr. Tytler, that this observation is ingenious, and shews with what attention the acute dissertator has scrutinized this matter. But, high as my opinion is of this gentleman's penetration, I cannot give him the preference to his friends Murray, Morton, Lethington, and Buchanan, whose talents for conducting so dark an affair, I am of opinion, could not be exceeded by any person. To make out his argument, therefore, we must believe, as the dissertator tells us, that the above four sage politicians, who were possessed of the letters, and knew every circumstance that is mentioned in them, or relating to them, and so recent as within a few months of their supposed date, were so entirely ignorant of their contents, that they made a blunder in explaining their meaning to the Commissioners at York, which blunder this ingenious gentleman, at the distance of two hundred years, has now discovered and set to rights. The Queen is made to refer Bothwell to the bearer of the letter for full information as to several things which she had not time or intention to treat fully of. "Upon this point, says the writer of the letter, the bearer will shew you many things." Again, "this bearer will tell you the rest; and if I learn any thing here, I will make you *memorial* at even." The letter is made to be written at different times, in the space of two days: and, at the conclusion of each night's writing, there is added a few notes, professedly a recapitulation of the preceding heads of the letter; and at the end of this letter, the Queen is made to say, "Excuse that thing is scribbled, for I had not paper yesterday when I wrote that of the *mémorial*." I ask the reader now, Is it possible to apply this to any other memorial, than that of the many small things concerning which she referred Bothwell to the bearer to explain to him fully? This is the plain sense of the words themselves, and in this sense only did Lethington and Buchanan explain them in their conference with the English Commissioners at York. The memorial there meant, "is in the credit (say they) given to Paris the bearer." Can any thing be more natural than this? "But, says our author, these gentle-



men were in a mistake as to this, and understood nothing of the matter; for now the dissertator has discovered, that this *scribbled writing*, called the memorial, was no other than a part of her very letter on which she had previously made some jottings, but was now forced to scribble her letter upon it, for want of paper. If we can possibly suppose that to have been the case, all the scribbling upon a paper, already blotted with notes and jottings, must undoubtedly have appeared upon the face of the letter itself; in which case it is impossible to suppose that Lethington and Buchanan would have mistaken the sense of this passage in the letter.

"This letter appears to have been the subject of two nights writing; at the end of the first night the Queen is made to say, she is going to bed, 'yet I cease not to scribble all the remains of the paper.' Then follows a short note of the heads of what she had written. The night after, when she comes to the very close of her letter, there are added likewise a few jottings or memorandums, such as, 'Remember you of the purpose of Lady Reres, &c.' all which is natural." Now if, according to this discovery of the dissertator, she was obliged to write part of the letter upon her paper of notes which she had kept for jotting down what occurred; by what strange accident came it to pass that this paper of notes came to be so luckily divided, that one half of these notes falls so very *a propos* as to make an exact summary of the preceding part of the letter, and no more? After which the letter proceeds to the end, when a few other notes are again as naturally introduced, and with which this letter concludes. From all which, I think it is pretty plain, that these notes were always meant to pass for what at present they appear to be, "part of the letter itself."

The next evidence brought against Queen Mary, is the dying confession of Nicholas Hubert, commonly called French Paris, servant to the Earl of Bothwell, and named in the letters themselves, as the bearer of them from the Queen to Bothwell.

Four of Bothwell's servants were apprehended in June, 1567, as accessaries to the murder of the King, and publicly tried before the High Court of Justiciary at Edinburgh; and all of them were condemned and executed on their own confessions, as guilty of the murder; but none of them accused the Queen. On the contrary, in the instructions given to the Commissioners of Mary, it is mentioned that they declared *at all times*, the Queen to be innocent. The evidence of this is incontestible; as there were present no fewer than nineteen of the first peers of the king-

dom, eight bishops, and eight abbots, of whom our author gives a catalogue.

The names of the four criminals already mentioned, are, Dalglieth, Hay, Powrie, and Hepburn. As for Paris, who was supposed to be the confidant of the whole intrigue betwixt the Queen and Bothwell, he was carried to the prison in St. Andrew's, where the Earl of Murray resided, and kept there for two years, during the whole time of the conferences at Westminster and York.

The suspicious conduct of Morton, with regard to Dalglieth, in whose custody it was said the box was found, has been repeatedly taken notice of; and one more conclusion drawn by Mr. Tytler from the silence of Morton at this time, is, that he and his associates had either forgot the matter of the box altogether, or that the letters did not at that time exist, but that the whole story was trumped up after Dalglieth had been executed. Still, however, if the evidence of Paris could have availed them any thing, he might have been produced. Besides, making the strange supposition, that the existence of this witness could have been forgot, the conduct of Murray himself, after this time, throws such a violent suspicion upon him, as never can be removed by any act whatever.

Mary having, as we have seen, been denied her request of being furnished with copies of the letters, or inspecting the originals, and having publicly accused Murray of being guilty of the murder; the latter, instead of waiting to exculpate himself, instantly set out for Scotland, and after residing there seven months, caused this Paris, the only person who could vindicate his own innocence, and prove the Queen's guilt, to be hanged. "Let us now see," says Mr. Tytler, the method Murray takes to wipe off this foul aspersions, and to avoid all suspicions of practising, by the force of torture or promises, upon a poor, ignorant, friendless creature, then in his hands, to mould him to his purpose. Does he send him to London to be examined before the English Council, as his other witnesses, Crawford and Nelson, had been? Does he even venture to produce him before his own privy council at Edinburgh, to be interrogated there? Or, lastly, Does he bring him to a public trial in the ordinary form, before the High Court of Justiciary at Edinburgh, as was allowed to Dalglieth and the other servants of Bothwell? No! As to these last, the experiment had not at all succeeded. In spite of torture, they had, with their dying breath, spoke out the truth, and acquitted the Queen. This man, Paris, was the last card



Murray had to play : a new method, therefore, must be followed with respect to him. He was confined in an obscure dungeon, in Murray's citadel of St. Andrew's; there he was kept hid from all the world, and at last condemned by the Earl of Murray himself, in a manner nobody knows how. Several months after his death a confession was taken, clandestinely, without mentioning any person who was present when it was made, by Paris, and sent up privately to London to Secretary Cecil, but at what period nobody knows, accusing the Queen in the blackest terms, and extolling the Earl of Murray to the skies. And, to crown the whole, this precious piece of evidence is kept a profound secret from the Queen and her friends, who never once saw or heard of this confession.

" All that remains of this poor creature, are two confessions, one on the 9th, and the other on the 10th of August 1569. The first, said to be the original, and marked on some leaves with the initial letters of his name, is still extant in the Cotton Library. It charges Bothwell with the murder, but says nothing of the Queen or the letters, but the other expressly charges her with the whole."

Mr. Tytler is of opinion, that these confessions were kept secret, and never shown to Mary, from the following circumstances, viz. that the only cotemporary writers who mention the condemnation and death of this Frenchman, are Lesly bishop of Ross, and the author of a manuscript History of Scotland during the reign of Queen Mary, and the four Regents, Murray, Lennox, Mar, and Morton; which was afterwards published by Crawford, historiographer to Queen Anne. The author of the manuscript mentions, that " the Regent (Murray) proceeded from Stirling to St. Andrew's; where Paris, a Frenchman, was hanged for the murder of the late King, *though he denied the fact.*" We have already taken notice of bishop Lesly's assertion, that Paris vindicated Mary from the crimes laid to her charge; from whence it is plain, that neither the Queen nor the Bishop had seen or heard of the second confession, in which she was so violently accused. " And the above passage from Crawford, says Mr. Tytler, fully explains the good reason that Murray then had for keeping this pretended confession of Paris a profound secret, to all except his own confederates and Secretary Cecil, viz. Because it was at this time universally known, by every body in Scotland, that this very Paris, at his execution, had publicly given the lie to any pretended confession, by solemnly denying the fact."

Our author now attempts to determine betwixt the two sets of contradictory evidence before us on the present question. He quotes a letter from Elizabeth to Mary, in which she gives him a great character. "In our judgment, says she, ye have not any in loyalty and faithfulness can over-match him;" and on this occasion, Mr. Tytler observes, what is indeed very surprising, that Dr. Robertson should call Lesly "a man heated with faction, so that no stress can be laid upon what he says." From the abstract of his arguments already given, however, the reader will be enabled to judge how far the Doctor is in the right in his assertions; and it is impossible to hesitate a moment at giving the bishop the preference to Buchanan, in point of argument, candour, and humanity.

On the other side of the question, we must consider, that by the conduct of Mary, her accusers had an opportunity of contradicting the reports concerning the confession of Paris; but this they did not; and the only answer they made to the vindication published by the bishop of Ross, was to suppress the book altogether, on pretence of its containing some dangerous points with regard to Mary's title to the crown of England. By reason of this suppression, it may be said, that Murray and Morton had no opportunity of seeing the Queen's defence with regard to Paris; but this we can scarcely suppose, as the book was soon distributed, and some copies of the first edition are even extant at this day. As the order for suppressing it came from Elizabeth, the book must have been in the hands of her ministers, and Murray and Morton had always an ambassador there, who could not fail to see it. Nay, the Earl of Morton himself was at London in the year 1571; having gone up at that time as Commissioner for the Earl of Lennox, then regent of Scotland, in order to treat with Elizabeth for the deposition of Mary altogether. "What reason then, says Mr. Tytler, can be assigned for this reservedness, this determined silence of Morton and Murray, with respect to this assertion of the bishop, as to Paris's dying testimony of Queen Mary's innocence, when they could at once have crushed it, by publishing the genuine confession said to have been made by Paris himself, which they had at that time in their pocket? Two reasons, very different indeed from each other may be imagined: Either that this confession of Paris, in Morton's custody, was not fit to bear the light, or that some small regard for Mary's fame made them conceal it from her."



That the adversaries of Mary had not at this time, nor indeed at any other, the smallest regard for her fame, seems very plain from the whole tenor of their conduct already mentioned, as well as from what we have yet to deliver. This same year Buchanan published his *Detection*, in which nothing was omitted that could possibly serve to blacken her character. The whole intrigue betwixt her and Bothwell, her amours in France as well as in Scotland, her repeated attempts to poison the King, and his actual murder at the last by her contrivance, as it was said, are all set forth in such a manner, as nothing but the most rancorous malice could have prompted even an adversary to have done. The letters to Bothwell are printed at full length, together with the confessions of Bothwell's four servants; and yet the pretended confessions of Paris are omitted. The book was presently dispersed all over the kingdom; "but, says Mr. Tytler, what is most surprising, although Paris is often mentioned therein, as the confident of the whole scene betwixt the Queen and Bothwell, with respect to the King's murder; and that Bishop Lesly, in his printed Apology for Queen Mary, had affirmed in the face of the world, as a fact universally known, that Paris, at his execution, had publicly asserted the Queen's innocence; although the letters give only some suspicions and dark hints, from which the Queen's knowledge of the murder is inferred; whereas Paris's confession, of the 10th of August, 1569, expressly charges her as the contriver of it, and is the only evidence that does so; yet, in Buchanan's book there is not the least mention made of any such confession. Buchanan lived many years after this; his *Detection* underwent several editions; nay, he wrote his history at large, which was not published for several years after this period; and, though he there again makes mention both of Paris and the letters, yet not one word is said of any such confession made by this person to the prejudice of the Queen."

Our author also takes notice that a copy of this confession is still extant, attested by one Alexander Hay, a notary. This man appears to have been Murray's active instrument in the transactions of those times, and by degrees arrived to be clerk to his secret council. In this capacity, he attests the confession of Paris, but without any witnesses; nay, Mr. Goodall has brought forth a very envious letter of his to John Knox, wherein he tells that reformer that the evil deeds of Queen Mary had been set forth both in Latin and English; and "in appearance, says he, they have no-

*thing unset forth tending to her infamy.*" Thus he tacitly gives up the confession of Paris altogether. "This same Hay, says Mr. Tytler, had attested the copy of Paris's confession on the 10th of August, 1569, which was sent to London that year; and yet in this letter, wrote to his friend John Knox, though he knew well that his own copy of this confession was in the hands of the very same people who had published the above scandalous collection against the Queen; yet, so well does he know from the very nature of his own manufacture, that this confession of Hubert's durst not be exposed to light; and so far from enumerating that piece among the above collection, he sinks it altogether, as if no such paper had ever existed. He tells his friend that the above collection contained every thing that could tend to the Queen's infamy, when, at the same time, he knew well, that the blackest piece of all, which he himself had furnished them with, was omitted. From all which circumstances, the violent presumptions that arise from their carrying this poor ignorant stranger from Edinburgh, the ordinary seat of justice, their keeping him hid from all the world in a remote dungeon, and not producing him with their other evidences, so as he might have been publicly questioned; the positive and direct testimony of the author of Crawford's manuscript, then living, and on the spot at the time, with the public affirmation of the bishop of Ross at the time of Paris's death, that he had vindicated the Queen with his dying breath; the behaviour of Murray, Morton, Buchanan, and even Hay, the attestor of this pretended confession on that occasion; their close and reserved silence at the time when they must have had this confession of Paris in their pocket; and their publishing every other circumstance that could tend to blacken the Queen, and yet omitting this confession, the only direct evidence of her supposed guilt; all this, duly and dispassionately considered, I think, one may safely conclude, that it was judged not fit to expose so soon to light this piece of evidence against the Queen, which a cloud of witnesses, living, and present at Paris's execution, would freely have given clear testimony against, as a notorious imposture."

Mr. Tytler next proceeds to state the evidence arising from this confession itself. On this he observes that the absurdities of the piece are so glaring, that the remark formerly made by Dr. Robertson, about forgers over-doing their work, is here verified in its full extent. "Their caution, says he, in not making the Queen speak such plain language in her letters, as this person does, was wise: here they forget themselves by putting the grossest words



in his mouth. His character, they knew, was low enough to bear it; and they were resolved to make him speak out, so as to leave no doubt of the Queen's infamy as a prostitute and a murderer!"

Dr. Robertson has taken notice of the absurdities and inconsistencies in this confession, but does not think that from thence there is sufficient reason to reject it entirely. "It must be acknowledged, says he, that his depositions contain some improbable circumstances. He seems to have been a foolish talkative fellow; the fear of death; the violence of a torture; and the desire of pleasing those in whose power he was, tempted him, perhaps, to feign some circumstances, and to exaggerate others. To say that some circumstances in an affidavit are improbable or false, is very different from saying that the whole is forged. I suspect the former to be the case here, but I see no appearance of the latter."

In answer to this, Mr. Tytler takes notice, that it has always been supposed a sufficient reason for disregarding the testimony of a witness, if he be found inconsistent with himself in any single point; and in the present case, when the several objections arising from the external view of the testimony are taken into consideration, this rule of judging must operate with double force. The reason assigned by the Doctor for Paris's interlarding his story with improbabilities does not appear at all satisfactory; but, on the contrary, if it proves any thing, it proves too much. If Paris had a mind to please them, there is no doubt, that accusing the Queen at any rate, was the most likely way to do it; and if we believe this to have been his design, which from the nature and circumstances of the case there is no reason to doubt, we must also believe that the whole of his narrative is a lie. It is natural, indeed to suppose, that a poor forlorn and distressed creature like Paris would be tempted to falsify in this manner, in hopes of obtaining his life; but there is one circumstance which cannot be reasonably derived even from this motive. One of the particulars of his confession is, that he took the liberty to say, one day, to the Queen, "Madam, Monsieur Bothwell hath commanded me to bring to him the keys of your chamber, as he wants to do something there; that is, to make the King fly in the air with powder!" This speech, in Mr. Tytler's opinion, is too horrid to be supposed to come from the mouth even of Paris; and indeed it must be owned, that if he really did say any such thing, it must be accounted the effect of insanity rather than any thing

else. The long confinement in prison, and the miseries he sustained there, may not unreasonably be supposed to have affected his brain.

In the farther examination of this confession, it appears more and more, that it has been obtruded on the world merely as a scheme of the conspirators to ruin the fame of Queen Mary. Mr. Tytler observes, that the confession, as we have it at present, is by no means judicial. It mentions no person whatever that was present when it was taken. All the other confessions of Dalgliesh, Hay, Hepburn, &c. taken before the High Court of Justiciary, mention the judges before whom the confession was made; and at the end of the depositions is the subscription at large of Sir John Ballenden, Lord Justice Clerk, bearing that the principal depositions were in the records of the books of the High Court of Justiciary; but the confession of Paris has not a single mark of authenticity, excepting the signature of Alexander Hay, Murray's clerk, who attests it as a notary, without any witnesses. "All the world knows, says our author, that a copy of any paper, attested by a notary, requires the solemnity of two reputable witnesses, to give faith to the notary's attestation. To this paper, however, though of the greatest importance, there are no witnesses. The whole, then, depends entirely upon the naked assertion of this noted clerk of Murray alone, contradicted, as we have seen, in the most public manner by all the world, and even tacitly disavowed by himself."

The confession of the 9th of August, does not charge the Queen with the murder; but our author takes notice, that Mr. Goodall has likewise given very good reasons for supposing it also to be an imposture. He takes notice of what Mr. Hume says upon this subject, viz. that the confession was a regular and judicial paper, given in regularly and judicially; and ought to have been canvassed at the time, if the persons whom it concerned had been assured of their innocence." Mr. Tytler observes, however, that it evidently was not a judicial confession: "The paper itself does not bear any such mark; nor does it mention that it was taken in presence of any person, or by any person, or by any authority whatever; and, by comparing it with the judicial examinations of Dalgliesh, Hay, and Hepburn, it is apparent that it is destitute of every formality requisite in a judicial evidence. In what dark corner, then, this strange production was generated, our author, Mr. Hume, may endeavour to find out if he can. As to his assertion that it was regularly and judicially given in, and therefore ought to be canvassed dur-



ing the conferences, we have already seen that this, likewise, is not fact. The conferences broke up in February 1569; Nicholas Hubert was not hanged till August thereafter; and his dying confession, as Mr. Hume calls it, is only dated the 10th of that month. How then can this gentleman gravely tell us, that this confession was judicially given in, and ought to have been, at that very time, canvassed by Queen Mary and her Commissioners. Such positive assertions, contrary to fact, are unworthy the character of an historian, and may very justly render his decision with regard to evidences of a higher nature very dubious. In answer, then, to Mr. Hume: As the Queen's accusers did not chuse to produce this material witness, Paris, whom they had alive, and in their hands, nor any declaration from him, at the critical and proper time for having it canvassed by the Queen, I apprehend our author's conclusion may be fairly used against himself: That it is in vain at present to support the improbabilities and absurdities in a confession taken in a clandestine way, nobody knows how; and produced, after Paris's death, by nobody knows whom; and from every appearance destitute of every formality requisite and common to such sort of evidence. For these reasons, I am under no sort of hesitation to give sentence against Nicholas Hubert's confession, as a gross imposture and forgery."

These are the principal arguments used in favour of Queen Mary by Mr. Tytler, who may not unjustly be said to have exhausted the subject, and to have set forth, in a very candid and judicious manner, every thing of importance that can be said upon the subject. As two other writers, however, of considerable reputation, viz. Dr. Stuart and Mr. Whitaker, have very warmly entered into a defence of Queen Mary, we shall still give an abstract of the arguments made use of by them.

Dr. Stuart observes, that when Murray and his party had proceeded to such extravagant lengths against Mary, by destroying and imprisoning her, it was natural for them to think of some method of securing themselves from danger. They could have no security that Elizabeth would not take part with the Queen of Scotland; and they were likewise apprehensive that the Court of France might interfere. To give a colour of justice to their proceedings, they instituted an inquiry before the Privy Council into their own conduct; and as they were in this case both judges and parties, there could be no doubt of the decision being favourable. The origin of the misfortunes of the Queen, they said, lay in her own misconduct, and they affirmed that she was a party with the

Earl of Bothwell in the murder of her late husband; and, to support this assertion, they appealed to the letters of which we have heard so much. Our author takes notice of the inconsistency in their account of this matter; it being impossible that the discovery of letters, *posterior* to the date of their taking arms against their sovereign, could in any manner of way be the *cause* of that event. Another piece of inconsistency in their conduct is, that at the very time they were endeavouring to establish the proofs of Mary's guilt, by authenticating these letters, they gave in a manifesto to Throgmorton, the English ambassador, upon the 11th of July, representing the Queen as entirely innocent of the death of her husband, and setting forth that the crimes of Bothwell had been the occasion of their taking up arms. Dr. Stuart is even of opinion, that it is not impossible to ascertain the date of the forgery of the letters in question. In some dispatches to Queen Elizabeth from her ambassador Throgmorton, dated 25th July 1567, he informs her that the enemies of Queen Mary designed to charge her with incontinency, with several persons besides Bothwell, and with the murder of her husband also. Of this last, says Throgmorton, "they say, they have as apparent proof against her as may be, as well as by the testimony of her hand-writing, which they have recovered, as also by sufficient witnesses." Dr. Stuart considers this as overturning entirely the idea of the letters being discovered on the 20th of June; as in the end of July they were only thinking of establishing their charge. In this, however, his reasoning does not appear altogether conclusive; for they might have been for a few weeks in possession of the letters, without making the use of them that they intended. It is a stronger argument which he next adduces, viz. that when Throgmorton was about to depart for England, they did not shew him the box and letters, though they were at that time very much disposed to blacken Mary's character. Throgmorton departed on the 30th of August this year; and our author supposes, that the letters were fabricated betwixt the 30th of August, and the 4th of December, when they were produced to the Earl of Murray's secret council. In the act of council published at this time, "the conspirators, says Dr. Stuart, discover the greatest anxiety for their pardon and security. Now, if the letters had been genuine, this anxiety would have been most unnatural; the notoriety of her guilt would have operated most completely their justification and pardon. In this Act of Council they betray the utmost solicitude to establish the criminality of the



Queen. Yet, if the letters had been real, her criminality would have been established from the moment of their discovery. This anxiety, therefore, for themselves, and this attempt against the honour of the Queen at a juncture so particular, are more than suspicious. They appear to be obviously the suggestions of their guilty fears; and the steps by which they thought to accomplish their purposes are a new evidence against them, and a fresh intimation of their guilt. It was with a view to the approaching convention of the Estates, that this act of council had been formed and managed. It was a preparation for the parliament, in which the conspirators had secured the fullest sway; and where they proposed to effectuate their pardon and security, and to establish the letters as decisive vouchers against the Queen.

In the parliament which assembled on the 15th of the same month, the letters were sustained as authentic, without either inspection or inquiry. They were not at this time produced to public view, nor was the Queen brought from her confinement to defend herself, or any advocate suffered to speak for her. The difference of form betwixt those laid before the Privy Council, and those described in Parliament, does not pass unnoticed by our author; and he remarks, that they had neither dates, direction, nor seal. It is impossible to imagine that they could have been sent to Bothwell as loose papers; or that Nicholas Hubert, a person of the lowest rank, and naturally indiscreet, would have been the messenger. From the contents of the letters also, it is evident, that they cannot be the performance of the Queen. "They have, says our author, a vulgarity, an indelicacy, and a coarseness of manner and expression, that do not apply to her; and while they are disgusting from their want of elegance, they violate chronology. From a comparison of them with national records of undoubted faith, they appear to have been written upon days when the Queen was differently employed, and in places where she was not actually present. It is not in one instance only, that they exhibit this wild inconsistency; the examples of it are frequent, and attended with peculiarities that are palpable. The objections, therefore, to their authenticity upon this head, seem decisive; and are not to be contradicted, or even palliated, without a violence and scepticism that are altogether destructive of historical evidence."

Dr. Stuart next proceeds to show, that the criminality of the Queen does not receive any confirmation from history. It is said, by her adversaries, that she was concerned in the murder of Darn-

ly, in order to accomplish the marriage with Bothwell. Her marriage with this nobleman was by no means voluntary. While she was detained at Dunbar, those who rebelled against her professed to be the great friends of Bothwell, and instead of attempting to rescue the sovereign from his hands, they gave him every opportunity he could wish; and even furnished him with a bond declaring his innocence of the murder, and recommending him to be her husband in the most unequivocal terms. Had the Queen been consenting to all this, there would have been no occasion for so much force and scandalous behaviour on the part of the nobility. With regard to Bothwell himself, he seems to have been entirely void of every principle of decency or humanity. Dr. Stuart is of opinion, that she never entertained any great affection for him previous to the marriage. Instead of being enamoured of him, the Doctor is of opinion, that he used the most abominable means to make her subservient to his purposes. These were, as he supposes, intoxicating and *amatorious potions*. Mary herself, in her instructions to the Bishop of Dumblane, her ambassador to France, after mentioning his declarations of love and importunities, says, 'by these means, and *many others* he brought us to his intent.' In the proclamation against Bothwell, it was said, that the Queen was seduced by *unlawful* ways, and the apology made by the faction of the Earl of Murray to Throgmorton the English ambassador, it is said, that 'the Queen was led captive, and by fear, force, and other *extraordinary* and more *unlawful* means, compelled to become bed-fellow to another wife's husband.' Had the Queen been engaged in a criminal amour with Bothwell before her husband's death, what occasion would there have been for all this fracas when she was of herself sufficiently inclined to yield to his inclinations?"

The Doctor agrees with Mr. Goodall and Mr. Tytler, that the letters were written originally in the Scots language, and that no French originals ever existed. He finds fault with Goodall, however, on account of his excessive admiration of Mary, and his attempting to vindicate the character of the Earl of Bothwell; and he pays high compliments to Mr. Tytler, on account of the merit of his work, which he thinks is in many respects complete, and stands in need of no assistance from any quarter. He observes that the insufficiency of the letters, is evident from the extreme caution with which the conspirators produced them to the world, even after all the pretended sanction they could give them. After having got them authenticated by



the three Estates, on the 15th of December 1567, he shewed the letters privately to Elizabeth; and obtained from her a promise that they should be held good and valid proofs, before he would prefer his accusation. For this purpose, he procured the box and letters from Morton; giving, at the same time, a receipt for them with such formality, that Dr. Stuart is of opinion, it, of itself, throws some suspicion on the genuineness of the letters in question \*. It was dated on the 16th of September 1568, and contains the first mention that appears in history of the discovery of the letters, as in the actual possession of Dalglish, upon the 20th of June 1567. It is true, he was alive on the 4th of December 1567; but it was neither proper at that time, nor on the 15th of the same month, when the letters were authenticated by the Estates, to mention his name particularly; though, after his execution, which took place in January 1568, there was then no longer any danger of his discovering any thing in contradiction to what they were pleased to report concerning the Queen, and then they also thought proper to mention Dalglish's name.

\* This remarkable receipt is couched in the following terms:

“ Apud Edinburgh, 16th September, Anno Dom. 1568.

“ The which day, the noble and potent Prince James, Earl of Murray, Lord Abernethie, regent to our Sovereign Lord, his realm and lieges, granted and confessed him to have received from James, Earl of Morton, Lord of Dalkeith, Chancellor of Scotland, a silver box overgilt with gold, with all missive letters contracts, or obligations for marriage; sonnets or love-letters, and all other letters contained therein, sent and passed betwixt the Queen, our Sovereign Lord's mother, and James, sometime Lord Bothwell. Which box, and haill pieces within the same, were taken and found with *umquibile* George Dalglish, servant to the said Earl Bothwell, upon the 20th day of June, the year of God 1567 years; and therefore the Lord Regent for himself, and taking the burden upon him for the remaining noblemen and others, professing the *querrel* and obedience of our said Sovereign Lord, exoners, quitclaims, and discharges the said Earl of Morton of the box, and of all the saids missive-writings, contracts, obligations, sonnets, love-ballads, and other letters whatsoever, found and contained therein, the time of his receipt and intromission therewith; testifying and declaring, that he has truly and honestly observed and kept the said box, and haill writs and pieces foresaids within the same, without any alteration, augmentation, or diminution thereof, in any part or portion: And the said Lord Regent, upon his honour, faithfully promises, that the said haill letters and writings shall be always ready and forthcoming to the said Earl of Morton, and remaining noblemen that entered into the *querrel* of revenging the King our Sovereign Lord's father's murder; whensoever they shall have to do therewith, for manifesting the ground and the equity of their proceedings, to all whom it effeirs.”

" This, however, says our author, is not the only suspicious circumstance recorded in the receipt. In the act of Privy Council, and in the ordination of parliament in December 1567, when the Earl of Murray and his associates were infinitely anxious to establish the criminality of the Queen, the only vouchers appealed to of her guilt were the letters; and at that time, doubtless, they had prepared no other papers to which they could allude. But, in the Earl of Murray's receipt in September 1568, there is mention made of other vouchers besides the letters. He acknowledges that he received from the Earl of Morton, contracts or obligations, and sonnets, or love-verses. These remarkable papers, though said to have been found upon the 20th day of June 1567, appeared not until September 1568; and this difficulty is yet to be solved by those who believe them to be genuine. The general arguments which affect the authenticity of the letters apply to them in full force; and circumstances peculiar to themselves, evince, at the same time, their fabrication. They are not to be accounted for or explained on the supposition of the genuineness of the letters. But upon the hypothesis of the forgery of the letters, their use, and the æra of their invention, may be pointed out with an obvious clearness. When the Earl of Murray had agreed to accuse the Queen of Scots, his anxiety about his proofs were redoubled. His apprehensions were excessive and alarming. The private communication of the letters to Elizabeth, in June 1568, produced a wish that he could fortify these vouchers; for the letters only were at this time exhibited to the English Queen. The notion that the love of Mary to Bothwell was inordinate, required to be supported. It was a fundamental principle with the conspirators, and they had no facts by which it could be fixed and illustrated. Between the months, therefore, of June and September 1568, between the dates of the communication of the letters to Elizabeth, and of the receipt of the box from the Earl of Morton, the contracts and sonnets were invented; and that they might answer the intention, they were made to express and imply, in a strong degree, the affection of Mary to Bothwell. The forgery was now finished; and the papers, while they mutually evince the weakness and impropriety of one another, all concur to establish the certain and uniform criminality of the enemies of the Queen.

" As to the casket or box, in which the papers were deposited, it is said to have contained them from the 20th day of June 1567, when it is urged that they were first discovered. Yet, of



this box, in connection with the letters and papers, there is no mention of the act of Council, or the ordination of the Parliament where the letters are described; nor at the time when they were privately communicated to Queen Elizabeth. The 16th day December 1568, is the date of the first mention of the box, as containing vouchers against the Queen. The box had belonged to Mary, who received it from her husband Francis II. The initial letter of his name, with a crown over it, appeared upon many places of the box. It is rather against the conspirators that they should have employed a box of the Queen's to contain papers she had sent to Bothwell. It is not very probable that she would have given to that nobleman a box which she had received from Francis. The box might with greater probability have been made to contain letters from Bothwell to Mary; and if that unfortunate and flagitious man had been killed at the Orkney Isles by Sir William Murray and Kirkcaldy of Grange, it is very possible, that the forgery of the conspirators to defame the Queen would have assumed this form. The Queen had been accustomed to keep her jewels in this box, but when the conspirators seized upon her jewels, it was appropriated by them; and they conceived that it would give a propriety to their forgeries to lodge them in it.

"The next date of the distinction of the box and its contents, was upon the 10th day of October 1568. In the true spirit of the forgery, and, with the most guilty anxieties, the Earl of Murray communicated them by his agents to the English Commissioners at York, in a clandestine manner, not in their public capacity. His scheme was to avoid the necessity of a judicial or exact examination of them; and, to give them the stamp of authenticity, and of finished and decisive evidences against the Queen of Scots, by his own oath, and the oaths of his associates. His intrigues with Norfolk are still farther illustrative of the nature of his sensibilities and consciousness. The disappointment of Elizabeth, occasioned by his caution, guilt, and timidities, produced the removal of the conferences from York to Westminster. Her resentments against Mary, the satisfaction she afforded to his scruples, and her promises of protection, brought him finally to the points she had in view. His public accusation of the Queen of Scots was delivered; and at length it was succeeded by his public exhibition of the box and its contents.

"When the English Commissioners received from the Earl of Murray the contents of the casket, they read the letters and the

sonnets, and comparing them with undoubted and real dispatches from the Queen, found the hand-writing to be similar; but there were many persons besides Maitland of Lethington, already mentioned, who could counterfeit the Queen's hand; particularly a young woman named Mary Beaton, one of the maids of honour to the Queen, whose hand-writing could with difficulty be distinguished from hers; and it has been supposed that this person had been allured to lend her assistance to the Earl of Murray and his faction. The examination of the letters by the English Commissioners was a mere farce. No scrutiny was made, and no care to attain the truth was exerted; as has already been fully explained.

"Murray having collated, as he pretended, the originals with the copies, took the former into his keeping; and the latter were detained by the Commissioners. At their next meeting, the Commissioners perused translations of the letters and sonnets, and examined the other writings produced by the Earl of Murray. The Earl of Morton then unfolded the manner in which the box with the letters, sonnets, and contracts, was discovered. It was then requested by Murray, that Thomas Nelson, and Thomas Crawford should be examined. The former had been a servant to the King, and communicated some particulars concerning the murder; but though he related that event in such a way as to insinuate a suspicion against the Queen, there yet appeared in his evidence, no direct accusation against her. From the examination of the latter it may be gathered, that some incidents founded upon the letters were real; and as the conspirators were well acquainted with all the transactions of the Queen, it must have been strange, indeed, if they could not have communicated an air of authenticity to their forgery, by the introduction of some particulars which could be attested. No information, however, was given by him, which was of power enough to criminate the Queen. By these depositions, which are frivolous in a great degree, and by the declaration of the discovery of the box made by the Earl of Morton, the most unprincipled man of a most unprincipled age, it was thought that the authority of the letters would receive a confirmation and support."

Our author likewise takes notice of the absurdity of not calling in the evidence of Nicholas Hubert, and adheres to the opinion of his exculpating the Queen with his dying breath. He observes, that according to Mr. Goodall, the sonnets were written originally in the Scottish language; but he takes notice of



the opinion of Lord Hailes, that they are a version from the French. "The sonnets, says he, convey the idea that Mary was influenced with the love of Bothwell to a degree of frantic and passionate ardour." This idea, which receives no aid from historical memorials, corresponds exactly with the practices of the conspirators. From internal evidence, it is obvious, that the sonnets are so fabricated as to have been written by Mary in the interval between the 24th of April 1567, when she was forcibly conveyed to Dunbar by Bothwell, and the 15th day of May following, when she married him. In this period, however, it is certain, that she must have been under the agitation of so many passions and cares, that she could not have found leisure or inclination for the amusements of poetry. By a comparison, too, of the sonnets with the instructions of Mary to the Bishop of Dumblane, whom she sent ambassador to France to apologize for her marriage with Bothwell, it appears that the author of the former had minutely attended to the latter. Now, the instructions to the Bishop of Dumblane were not drawn up till some time after the 15th day of May, when the Queen was married; and the sonnets, if real, must have been composed before the marriage. The forger of the sonnets having assisted his invention by a perusal of the instructions, opened thus a source of detection against himself; and its power and meaning are sufficiently explicit. Buchanan observes, that the sonnets are not inelegant. This commendation, feeble as it is, seems remarkable from a person of his satirical disposition, and of his principles. But, as he is more than suspected of a concern in the forgeries against the Queen, this negative praise may be accounted for. He did not wish to discredit altogether, even in point of literary ability, a fabrication in which his pen had been too busy; and indeed the sonnets, though they appear to have been made and framed for an end, are by no means so despicable as they are often represented to be. The author, whoever he was, had the disadvantage of being in fetters, and under constraint; and it is probable, that he had to struggle with the embarrassments of imposing in a foreign tongue. But whatever may be the merit of the sonnets as a composition, they cannot without great violence be imputed to the pencil of Mary. Brantome and Ronfard, who were well acquainted with her poetical writings, had no difficulty in pronouncing that they could not possibly have proceeded from her. Upon this topic, too, there is a standard from which a judgment may be formed. The elegy written by Mary upon the death

of Francis II. has come down to us; and it seems fully sufficient to justify the sentence of Brantome and Ronfard. There is a fancy, a delicacy, an elegance, a character in it, which give it the greatest charm; and the sonnets to Bothwell are in a strain and manner altogether opposite.

“ There were two contracts or obligations which were forged. That supposed to be written by Mary has been critically examined, and very able judges have compared it with the hand-writing of the Queen; and found it to bear no accurate resemblance; neither was her subscription done in the usual manner. It was a promise of marriage to Bothwell. The other supposed to be written by Huntly, is also an engagement to marry Bothwell. In this obligation, she is made to press herself upon Bothwell, and to insist humbly and reverently that he would insist on the divorce of his wife, the Lady Jane Gordon. This made-of-proceeding, must have been unnatural in the Queen, even if she had actually been in love with Bothwell, and can only correspond with that inordinate and extravagant vehemency of affection imputed to her by the conspirators. It is observable, too, that the conspirators thought not of calling the Earl of Huntly before the Commissioners to attest the authenticity of this paper; and in fact, as early as the 12th day of September, when the trial of the Queen was in agitation, this nobleman had put his name to a public deed, which asserted her innocence in the marriage with Bothwell, and which affirmed the guilt of Murray and his confederates. He was also soon to join with the Earl of Argyle in a direct charge against the Earl of Murray and his faction, of a concern in the murder of the King. The general argument against the authenticity of the letters holds equally against the sonnets and contracts.”

But however plain it may appear, or however evident it might even then have been, that these writings were all forged, the conspirators behaved with the greatest effrontery; producing them in the most confident manner, as if they had been actual witnesses to the writing of them. Murray and his associates had formerly sworn in the most solemn manner, to act with integrity and uprightness; and they affirmed before the English Commissioners, upon their honours and consciences, that the letters, sonnets, and contracts, were positively the hand-writing of the Queen, excepting the contract written by Huntly, which, however, they understood, and perfectly knew to be subscribed by her. These oaths, which no man could lawfully have taken, unless he had



been an eye-witness to the writing of the papers, were sustained as good and authentic proofs by the English Commissioners.

In the mean time, Queen Elizabeth, with the perfidy and dissimulation which so strongly marks her character, pretended to the English nobility that she was thoroughly convinced of Mary's guilt, while to Murray, Morton, and the rest of the associates, she declared that they had produced nothing of any moment against her. Dr. Stuart indeed brings forth the most authentic proofs, that, so far from having any intention to allow this unfortunate Princess to exculpate herself, or wishing to save her honour, she, from the beginning, intended never to allow her to depart out of England. From what has been already delivered, it must appear evident, that the pretended proofs of Mary's guilt never appeared satisfactory to a single person, even at the time they were produced; nor could any thing besides the industrious manner in which, the reports were propagated, and handed down from father to son, without any proof at all, have prevented the memory of these vile associates from being long ago stigmatized in the manner in which it now so justly is.

The silence of the two learned historians, Mr. Hume and Dr. Robertson, is a most convincing proof that they had nothing to reply to the arguments used by Mr. Tytler. The former, indeed, did make a kind of reply, which, to gratify the reader's curiosity we shall here transcribe. "There is a person who has writ an *Inquiry, Historical and Critical, into the Evidence against Mary Queen of Scots*; and has attempted to refute the foregoing narrative. He quotes a single passage of the narrative, in which Mary is said simply to refuse answering; and then a single passage from Goodall, in which she boasts that she will answer; and he very civilly, and almost directly, calls the author a liar, on account of this pretended contradiction. That whole inquiry, from beginning to end, is composed of such scandalous artifices; and from this instance the reader may judge of the candour, fair dealing, veracity, and good manners of the inquirer. There are, indeed, three events in our history, which may be regarded as touchstones of party-men. An English Whig, who asserts the reality of the Popish plot; an Irish Catholic, who denies the massacre in 1461, and a Scots Jacobite, who maintains the innocence of Queen Mary, must be considered as men beyond the reach of argument and reason, and must be left to their prejudices."

On this Billingsgate we may remark, that there are other two sets of men, who are equally impregnable to reason; viz. the

enthusiastic four faced bigot, who condemns to eternal punishment all who differ from him; and the conceited philosophical deist, who believes in a *God* that has neither *courage* nor *good manners*. \* Mr. Tytler, however, has given a more serious answer, and shews that he has not quoted him at all unfairly, as Mr. Hume accuses him of having done. On the contrary, " he has quoted almost the whole of that historian's narrative concerning Queen Mary's refusal to answer, and likewise her request to be present at the trial of her cause, and that, too, in the historian's own words. In his quotation he particularly mentions the grounds upon which that author says Queen Mary's Commissioners founded their refusal to answer."

In support of this assertion, Mr. Tytler quotes the whole passage with which Mr. Hume finds fault; and, having vindicated himself from the charges brought against him, proceeds next to consider Mr. Hume's proposition, from which he has inferred, that Queen Mary absolutely refused to answer Murray's accusation, and recoiled from the inquiry. He allows that Mary, at first, sensible of Queen Elizabeth's gross partiality, did refuse to answer; but afterwards she thought better upon it, and offered not only to answer the charge conditionally, but actually gave in her answer. He combats, with great strength of argument, Mr. Hume's position, that Mary could not be admitted into Elizabeth's presence, and brings his reasoning to the following conclusion: " Let me suppose, says he, that Queen Mary's request, to be admitted to Queen Elizabeth's presence, had appeared unreasonable or improper, and was therefore refused; was that a good reason for refusing her request to see the letters? If, after inspecting the evidence against her, Queen Mary had remained silent, and made no answer, the consequence is plain, the letters must have been held as genuine, and she stood convicted to Elizabeth, and the whole world, by her own letters. On the other hand, I apprehend, that unless a good reason can be shown for refusing Mary's request to see the letters, that refusal is equally decisive of the question in her favour. I call upon Mr. Hume, therefore, and desire him, with all his ingenuity, to give me a solid reason for Elizabeth's refusing to allow Mary to see these letters. I will venture to say that only one reason, consistent with common sense, can be given, which is this, That Queen Elizabeth and the penetrating Cecil saw, or suspected a forgery; and, by the

\* See Hume's posthumous works, where these two qualities are denied to the Deity.



many shifts which, through whole course of the conferences were devised to elude a scrutiny and inspection of these letters, it is evident they were resolved to guard against a detection; and to close the scene, and prevent Queen Mary from ever getting a sight of this forged evidence, they took a very effectual way, by dismissing Murray and them together from the conferences. To this let me join the proof which has lately been brought by Goodall against the letters, which I am warranted to say, in the opinion of many of the first critics of the age, does clearly demonstrate the forgery."

Having now given a full account of the arguments on both sides, used by the most celebrated writers upon this controversy, we shall close our subject with a few remarks from Mr. Whitaker on the conduct of Queen Elizabeth. That gentleman has taken the part of Mary with great warmth, and condemned the conduct of Elizabeth in the strongest terms possible; nay, he even declares himself ashamed of her as an English Queen. It is observable, that though unchastity was one of the principal charges brought against Mary by her adversaries, yet it is a charge which retorts upon Elizabeth with aggravated force. Mary might be unchaste; but Elizabeth's unchastity was proclaimed to all the world; as appears by the following account of an act of parliament, which Mr. Whitaker mentions as a disgrace to the English nation. "At the treaty, says he, which was held in 1570 between Mary and Elizabeth, it was specified, by the latter, that the former should succeed to the throne 'in case of Elizabeth's demise without *any* issue,' Mary altered the limitation thus, 'without *lawful* issue;' and Elizabeth would agree only to have it altered thus, 'without issue by a *lawful husband*.' This remarkable fact, which was prior to the law, shews us, in union with it, the firmness and audacity with which Elizabeth pursued her purposes upon the succession. She tried at first to make way for *any* issue. She then adhered resolutely to any by a lawful husband; because she could cure the bastardy by a marriage. And she at last spoke out with more than her original explicitness; spoke out even to her parliament; and had her *natural* issue, by name, rendered capable of succeeding her. Indeed, the existence of such a law as this, upon our statute-book, is a full proof of the effrontery of Elizabeth in vice, and of the obsequiousness of the nation in meanness; and the law itself stands as a strong note of infamy upon both at present."

Mr. Whitaker is of opinion, that the melancholy with which Elizabeth was seized at the close of her life proceeded not, as has been commonly supposed, from her love to the Earl of Essex, whom she had caused to be beheaded; but from a remorse of conscience on account of her cruel treatment of Mary. Mr. Tyler is of the same opinion. "We cannot help, says he, subscribing to the opinion of Mr. Whitaker in this matter, That Elizabeth had a more solid ground for melancholy and remorse arising from the sting of her own conscience on the reflection of her inhuman treatment of Queen Mary.' To imagine that the masculine spirit of Elizabeth would evaporate in a love-sick fit of whining for an insolent subject, who had braved her authority, and attempted an insurrection in her very capital, is neither credible, nor in the least consistent with the character and fortitude of the haughty, unfeeling Elizabeth. Her whole conduct with regard to the Queen of Scots was such as indeed to afford just cause for the most bitter remorse in the last stage of her life, on the dreadful reflection of the long, deliberate, premeditated schemes, framed and prosecuted by her for the destruction of that princess.—Now in the decline of life, in her seventieth year, her popularity beginning to fade, and the approach of bodily infirmities, all must have awakened her to reflection, and to the bitter sensation of her crimes, and of her inhuman treatment of the Queen of Scots! How forcibly must the awful dying words of that princess, (in a letter sent to Elizabeth after Mary's condemnation) have vibrated in her ear! 'Think me not presumptuous, that now, bidding farewell to this world, and preparing for a better, I put you in mind, that you must also die, and must answer to the Tribunal of the most High for your conduct.' Happy for Elizabeth, if unfeigned contrition, and penitence in her last moments, has expiated her crimes!"

THE END.





